

furnishing and equipping school buildings within the same, and to levy a tax therefor, and to pay all current expenses for the maintenance and support of said school, declaring valid all issues of bonds heretofore made, declaring valid maintenance tax heretofore voted and repealing all laws in conflict herewith insofar as they conflict with this act, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 4:45 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,
Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 287, "An Act providing that a water improvement district which has made and filed an application with the State Board of Water Engineers for the appropriation and use of water on certain defined lands and for the storage of the water of a stream and watershed, and shall have been granted a permit therefor by the State Board of Water Engineers, and parts of said land for which such water was appropriated for irrigation are not included within such district granted such permit but is included within another district, the said district to which said permit was granted may convey same and all rights granted by said permit in so far as same pertain to said lands to the district in which said lands are located; validating such permits, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 4:45 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

THIRTY-NINTH DAY.

(Tuesday, March 6, 1923.)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and the following members were present:

Abney.	Avis.
Amsler.	Baker of Milam.
Arnold.	Baker of Orange.
Atkinson.	Baldwin.

Barker.	Lewis.
Barrett.	Loftin.
Beasley.	Looney.
Bell.	McBride.
Bird.	McDaniel.
Blount.	McDonald.
Bryant.	McFarlane.
Burmeister.	McKean.
Carpenter	McNatt.
of Dallas.	Martin.
Carpenter	Mathes.
of Matagorda.	Maxwell.
Carson.	Melson.
Carter of Coke.	Merritt.
Carter of Hays.	Miller.
Coffee.	Montgomery.
Collins.	Moore.
Covey.	Morgan
Cowen.	of Robertson.
Crawford.	Pate.
Culp.	Patterson.
Davenport.	Perdue.
Davis.	Pinkston.
DeBerry.	Pool.
Dielmann.	Pope.
Dinkle.	Potter.
Dodd.	Purl.
Downs.	Quaid.
Driggers.	Quinn.
Duffey.	Rice.
Dunlap.	Robinson.
Dunn.	Rogers.
Durham.	Rountree.
Edwards.	Russell
Faubion.	of Callahan.
Fields.	Russell of Trinity.
Finlay.	Sackett.
Gipson.	Sanford.
Hardin of Erath.	Satterwhite.
Hardin	Shearer.
of Kaufman.	Shires.
Harrington.	Simpson.
Harris.	Smith.
Henderson	Sparkman.
of Marion.	Stell.
Henderson	Stevens.
of McLennan.	Stewart of Jasper.
Hendricks.	Stewart of Reeves.
Houston.	Stiernberg.
Howeth.	Storey.
Hughes.	Stroder.
Hull.	Teer.
Irwin.	Thompson.
Jacks.	Thrasher.
Jennings.	Turner.
Johnson.	Vaughan.
Jones.	Wallace.
Kemble.	Wells.
Lackey.	Westbrook.
Laird.	Wessels.
Lamb.	Wilson.
Lane.	Winfree.
LeMaster.	Young.
LeSturgeon.	
	Absent.
Bonham.	Brady.

Chitwood.	Price.
Fugler.	Stewart
Green.	of Edwards.
Patman.	Sweet.

Absent—Excused.

Bobbitt.	Morgan
Cable.	of Liberty.
Frnka.	Rowland.
Greer.	Strickland.
Lusk.	Williamson.
Merriman.	Wilmans.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following member was granted leave of absence on account of important business:

Mr. Bobbitt, for today, on motion of Mr. Arnold.

The following members were granted leaves of absence on account of sickness:

Mr. Rowland, for today and indefinitely, on motion of Mr. Barker.

Mr. Morgan of Liberty, for yesterday and today, on motion of Mr. Quinn.

Mr. Pool, for yesterday, on motion of Mr. Gipson.

Mr. Price, for today, on motion of Mr. Wallace.

Mr. Greer, for today, on motion of Mr. Davenport.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Russell of Callahan:

H. B. No. 682, A bill to be entitled "An Act to amend Sections 1 and 5 of Chapter 6 of the Special Laws enacted by the Thirtieth Legislature, same being an act creating the Baird Independent School District in Callahan county, Texas, as amended by Chapter 25 of the Thirty-first Legislature; re-defining the boundaries of said district; validating all tax levies now in force; repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Morgan of Liberty (by request):

H. B. No. 683, A bill to be entitled

"An Act creating and establishing out of territory now embraced in the counties of Montgomery, Liberty and Harris, in the State of Texas, a new county to be known as Cleveland county, containing a superficial area of not less than seven hundred square miles; appointing commissioners necessary for the organization of said new county; providing for the division of said counties into commissioners and justice precincts; providing for the name of each of same; providing for the holding of county and special elections for the election of county and precinct officers, and for the designation of the county seat of said new county of Cleveland; providing for the attaching of said county of Cleveland to judicial, representative, senatorial, congressional and supreme judicial districts; providing for the assessment and collection of taxes for the defraying of the payment of expenses of organization and for the payment of the proportion of liabilities of the counties of Montgomery, Liberty and Harris, as now constituted, chargeable, respectively, on the territory taken from them; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Counties.

By Mr. Potter, Mr. Kemble and Mr. McNatt:

H. B. No. 684, A bill to be entitled "An Act to create the County Court of Tarrant County for Civil Cases No. 2, and prescribing the jurisdiction thereof, giving said court concurrent jurisdiction with the County Court of Tarrant County for Civil Cases in all matters and causes over which the County Court of Tarrant County for Civil Cases has jurisdiction, fixing the salary of the judge of the County Court of Tarrant County for Civil Cases No. 2; providing for the appointment and election of the judge of said court hereby created and providing for the filling of vacancies in said office, providing for the transfer of causes from the docket of the County Court of Tarrant County for Civil Cases to the dockets of the court hereby created, by the county clerk of Tarrant county, and providing for the transfer of causes from the dockets of the County Court of Tarrant County for Civil Cases to the docket of the court hereby created by the judge of the County Court of Tarrant County for Civil Cases, at his discretion, and providing for the transfer

of causes from the dockets of the court hereby created to the dockets of the County Court of Tarrant County for Civil Cases by the judge of the court hereby created, at his discretion, and providing for the appointment of an official shorthand reporter who shall be an officer of the court hereby created, and declaring an emergency."

Referred to Judiciary Committee.

SENATE BILLS ON FIRST READING.

The following Senate bills were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 325, to the Committee on Game and Fisheries.

Senate bill No. 121, to the Committee on Privileges, Suffrage and Elections.

Senate Joint Resolution No. 5, to the Committee on Constitutional Amendments.

Senate bill No. 155, to the Committee on Roads, Bridges and Ferries.

Senate bill No. 176, to the Committee on Education.

Senate bill No. 333, to the Committee on State Affairs.

Senate bill No. 400, to the Committee on Appropriations.

Senate bill No. 175, to the Committee on State Affairs.

Senate bill No. 390, to the Committee on School Districts.

Senate bill No. 132, to the Committee on Counties.

BILL RECOMMITTED.

On motion of Mr. Stewart of Jasper, House bill No. 417 was recommitted to the Committee on School Districts.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Perdue, House bill No. 678 was ordered not printed.

On motion of Mr. Burmeister, House bill No. 676 was ordered not printed.

On motion of Mr. Kemble, House bill No. 188 was ordered not printed.

On motion of Mr. Rountree, Senate bill No. 406 and House bill No. 232 were ordered not printed.

HOUSE BILL NO. 519 WITH SENATE AMENDMENTS.

Mr. Mathes called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 519, A bill to be entitled "An Act validating Consolidated Common School District No. 1 of Castro county, Texas, and validating an issue of bonds heretofore voted by said district, and declaring an emergency."

The Speaker laid the bill before the House and the Senate amendments were read.

Mr. Mathes moved that the House concur in the Senate amendments.

Yeas and nays were demanded and the motion to concur prevailed by the following vote:

Yeas—108.

Mr. Speaker.	Howeth.
Abney.	Jennings.
Amsler.	Jones.
Arnold.	Kemble.
Atkinson.	Lackey.
Avis.	Laird.
Baker of Orange.	Lamb.
Barker.	Lane.
Barrett.	LeSturgeon.
Beasley.	Lewis.
Bell.	Looney.
Bird.	McDaniel.
Bryant.	McDonald.
Burmeister.	McKean.
Carpenter	McNatt.
of Matagorda.	Martin.
Carson.	Mathes.
Carter of Coke.	Maxwell.
Carter of Hays.	Melson.
Coffee.	Miller.
Collins.	Montgomery.
Covey.	Moore.
Cowen.	Morgan
Culp.	of Robertson.
Davenport.	Pate.
DeBerry.	Patterson.
Dielmann.	Perdue.
Dinkle.	Pinkston.
Dodd.	Pope.
Downs.	Potter.
Driggers.	Purl.
Duffey.	Quaid.
Dunn.	Quinn.
Durham.	Rice.
Edwards.	Robinson.
Faubion.	Rogers.
Fields.	Rountree.
Fugler.	Russell
Gipson.	of Callahan.
Hardin	Russell of Trinity.
of Kaufman.	Sackett.
Harrington.	Sanford.
Harris.	Satterwhite.
Henderson	Shearer.
of Marion.	Simpson.
Henderson	Smith.
of McLennan.	Sparkman.
Hendricks.	Stell.
Houston.	Stevens.

Stewart	Turner.
of Edwards.	Vaughan.
Stewart of Jasper.	Wells.
Stewart of Reeves.	Westbrook.
Stiernberg.	Wessels.
Storey.	Wilmans.
Stroder.	Wilson.
Teer.	Winfree.
Thompson.	Young.

Present—Not Voting.

LeMaster.

Absent.

Baker of Milam.	Hull.
Baldwin.	Jacks.
Blount.	Johnson.
Bonham.	Loftin.
Brady.	McBride.
Carpenter	McFarlane.
of Dallas.	Merritt.
Chitwood.	Morgan
Crawford.	of Liberty.
Davis.	Patman.
Dunlap.	Pool.
Finlay.	Price.
Green.	Shires.
Hardin of Erath.	Thrasher.
Hughes.	Wallace.

Absent—Excused.

Bobbitt.	Merriman.
Cable.	Rowland.
Frnka.	Strickland.
Greer.	Sweet.
Irwin.	Williamson.
Lusk.	

MOTION TO PRINT HOUSE BILL NO. 667.

Mr. Rogers moved that House bill No. 667, reported adversely, with a minority favorable report, be printed in the Journal.

The motion was lost.

RELATING TO REGISTRATION OF BIRTHS.

The Speaker laid before the House for consideration at this time the following resolution:

S. C. R. No. 22, Relating to registration of births.

Whereas, Texas is not in the birth registration area, which means that we fall far below 90 per cent registration of all births in the State; and

Whereas, We have an adequate law which is not enforced, due to lack of information; and

Whereas, Vital statistics are the basis of all constructive plans of public welfare;

First. To facilitate law enforcement and just administration by means of authentic data as to births and deaths, in legal matters pertaining to the establishment of identity, nationality, age and heritage.

Second. To locate and indicate dangerous communicable diseases.

Third. To substantiate the statement often questioned, "that Texas is a healthful State" and prove our claims through actual statistics.

Fourth. To enforce the laws and protect the health of the babies of Texas.

Fifth. To enable the government to keep accurate health books.

Sixth. To have authentic index into the health of the nation.

Seventh. To determine the growth of population through its native born.

Eighth. To determine infant mortality and the ratio between births and deaths.

Ninth. To determine the diseases menacing human life in different sections of the country.

Tenth. To establish constructive health policies based on facts, not hearsay.

Eleventh. To remove from our country the stigma of being one of the most backward of the civilized countries of the world, in the protection of the life and property of its citizens, through lack of knowledge.

Therefore, be it resolved by the House of Representatives, the Senate concurring, That we hereby endorse the plan of the Texas Federation of Women's Clubs, Texas Congress of Mothers and Parent-Teacher Association, Women's Christian Temperance Union, League of Women Voters, Business and Professional Women's League, assisted by the State Board of Health, Extension Bureau, University of Texas, Extension Service, A. and M. College, to set aside March 13th to 31st as birth registration days.

The resolution was read second time and was adopted.

SENATE BILL NO. 141 ON SECOND READING.

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to third reading,

S. B. No. 141, A bill to be entitled "An Act regulating the practice of medicine; amending certain articles and adding new articles to Title 90, Chapter

1 of the Civil Statutes of Texas; amending certain articles and adding new articles to Title 12, Chapter 6, of the Penal Code of the State of Texas, as follows: By amending Article 5737 of the Civil Statutes, prescribing certain duties of district clerks relating to license to practice medicine; making it the duty of county health officers to keep informed as to the death and removal of physicians from the county of their residence and report such deaths and removals to district clerks; and making it the duty of the secretary of the State Board of Medical Examiners, upon notice of the cancellation of the license of any physician, to certify the fact to district clerks; by amending Article 5739 of the Civil Statutes so as to leave it optional with the Board of Medical Examiners the time when, the subjects in which, and the fee for which an applicant who has failed to pass examination may take a subsequent examination; by amending Article 5741 of said Civil Statutes authorizing the State Board of Medical Examiners at its discretion to conduct examinations in two parts, and prescribing the fee to be paid by the applicant for each examination; by amending Chapter 129, Acts of the Regular Session of the Thirty-sixth Legislature, approved March 24, 1919, to be known hereafter as Article 5744a of said Civil Statutes, giving authority to and making it the duty of any practitioner of medicine for reasons enumerated, and prescribing the procedure to be followed in such cases; by adding a new article to said Civil Statutes, to be numbered Article 5744b, to prevent by means of writ of injunction, at the suit of the State, the State Board of Medical Examiners, or any citizen of the county of the defendant's residence, the actual, threatened or contemplated practice of medicine in violation of the law; by amending Article 750 of the Penal Code, making it unlawful for any person to practice medicine without first taking the oath prescribed by law and having his license registered by the district clerk of the county where he is located, or into which he may remove; by adding a new article to Chapter 6, Title 12, of the Penal Code of the State of Texas, to be Article 750a, making it unlawful for any person to practice medicine after his license has been canceled by the State Board of Medical Examiners, or by any court of competent jurisdiction, and providing as a punishment therefor confinement in the peniten-

tiary and disqualification thereafter to be licensed to practice medicine; by amending Chapter 6 of Title 12 of the Penal Code by adding a new article to be numbered Article 756a, making it the crime of false swearing, a felony, for any applicant for license to practice medicine to make a false oath in his application to the Board of Medical Examiners, or to make a false oath before the district clerk to secure registration of his license; providing that if any section, or part of a section, provision, penalty, right, or remedy contained in this act shall be held unconstitutional, invalid, or inoperative, it shall not affect the remaining sections, parts of sections, provisions, rights or remedies prescribed by this act; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Mr. Culp offered the following amendments to the bill:

(1)

Amend Section 2 of Senate bill No. 141 by striking out the word "and" from the following part of said section: "who is a graduate of a reputable medical college and has qualified on examination for the certificate of medical qualification," etc., and inserting in lieu of said word "and" the word "or."

(2)

Amend Senate bill No. 141 as engrossed, on page 5, line 8 to line 16 thereof, Section 2, by striking out the following language: "Said application shall be accompanied with the diploma, or a photograph thereof, awarded to the applicant by a reputable medical college, and a certified transcript of the certificate or license issued to the applicant by the National Board of Medical Examiners, or satisfactory evidence of the issuance of a commission in the Medical Corps of the United States army or navy, or by a license, or certified copy of license to practice medicine, lawfully issued to the applicant by some other State or Territory," and inserting in lieu of said language the following: "Said application shall be accompanied with a diploma, or a photograph thereof, awarded to the applicant by a reputable medical college, or a certified transcript of the certificate or license or commission issued to the applicant by the Medical Corps of the United States army or navy, or by a

license or a certified copy of license to practice medicine, lawfully issued to the applicant by some other State or Territory."

(3)

Amend Senate bill No. 141, on page 10, line 10, by inserting immediately after the language "Sec. 5a" the following language: "That Title 90, Chapter 1 of the Revised Civil Statutes of Texas be amended by adding a new article thereto, to be numbered Article 5744aa, which shall read as follows:"

(4)

Amend Senate bill No. 141, in Section 6, page 11, and in the second paragraph of said section, lines 16 to 19, by striking out the following language found in the sentence immediately preceding the final sentence of said section: "and may be exercised and asserted independently of and without reference to whether or not criminal prosecution has been instituted or shall be instituted against the defendant," and by striking out the comma immediately after the word "State" in said sentence, line 16, and inserting in lieu thereof a period.

The amendments were severally adopted.

Mr. Davenport offered the following amendment to the bill:

Amend Senate bill No. 141 by striking out all of Section 6 and renumbering the following sections in regular order.

(Mr. Satterwhite in the chair.)

Mr. Simpson moved the previous question on the pending amendment, and the main question was ordered.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—42.

Amsler.	Finlay.
Atkinson.	Harris.
Brady.	Henderson
Bryant.	of McLennan.
Burmeister.	Hendricks.
Carpenter	Houston.
of Matagorda.	Howeth.
Collins.	Jones.
Crawford.	LeMaster.
Davenport.	LeStourgeon.
Davis.	Lewis.
Dielmann.	McDaniel.
Downs.	McFarlane.
Edwards.	McNatt.
Faubion.	Merritt.
Fields.	Pope.

Potter.
Quinn.
Rice.
Russell
of Callahan.
Sackett.
Stell.

Stewart
of Edwards.
Stewart of Jasper.
Thompson.
Turner.
Wessels.
Wilmans.
Winfree.

Nays—69.

Abney.
Arnold.
Avis.
Baker of Orange.
Baldwin.
Barrett.
Beasley.
Bell.
Blount.
Bonham.
Carpenter
of Dallas.
Carson.
Carter of Coke.
Carter of Hays.
Coffee.
Covey.
Cowen.
Culp.
DeBerry.
Dinkle.
Dodd.
Driggers.
Duffey.
Dunn.
Durham.
Fugler.
Green.
Hardin of Erath.
Hardin
of Kaufman.
Harrington.
Henderson
of Marion.
Hughes.
Irwin.
Jennings.

Kemble.
Lackey.
Lamb.
Lane.
Loftin.
McDonald.
McKean.
Martin.
Mathes.
Maxwell.
Melson.
Miller.
Moore.
Morgan
of Robertson.
Pate.
Patterson.
Perdue.
Pinkston.
Rountree.
Russell of Trinity.
Sanford.
Shearer.
Shires.
Simpson.
Smith.
Sparkman.
Stevens.
Stewart of Reeves.
Storey.
Stroder.
Thrasher.
Vaughan.
Wallace.
Wells.
Wilson.
Young.

Present—Not Voting.

Purl.

Absent.

Baker of Milam.	Morgan
Barker.	of Liberty.
Chitwood.	Pool.
Dunlap.	Price.
Gipson.	Quaid.
Hull.	Robinson.
Jacks.	Rogers.
Johnson.	Rowland.
Laird.	Satterwhite.
Looney.	Stiernberg.
McBride.	Teer.
Montgomery.	

Absent—Excused.

Bobbitt.	Merriman.
Cable.	Patman.
Frnka.	Strickland.
Greer.	Sweet.
Lusk.	Williamson.

Paired.

Mr. Westbrook (present), who would vote "nay," with Mr. Bird (absent), who would vote "yea."

Mr. Culp moved to reconsider the vote by which the amendment was lost and to table the motion to reconsider. The motion to table prevailed.

Mr. Bonham moved the previous question on the engrossment of the bill and the motion was not seconded.

(Speaker in the chair.)

Mr. McNatt offered the following amendment to the bill:

Amend Senate bill No. 111, page 8, by striking out all from semicolon in line 26 to semicolon in line 32 and substitute the following: "Provided, this act shall not apply to the practice of any system or method of treating human ailments without the use of drugs or medicine and without operative surgery."

Question—Shall the amendment be adopted?

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolution:

S. C. R. No. 21, Relating to Confederate sailors.

S. B. No. 346, "An Act incorporating the Ennis Independent School District in Ellis county, Texas, for free school purposes only; defining its boundaries; providing for a board of trustees; providing for a treasurer for the funds of said district and providing for an assessor and collector of taxes of said district; divesting the city of Ennis of the control of its public schools and the title to school property and vesting the same in the Ennis Independent School District and its board of trustees, and prescribing the rights, powers, privileges, and duties of said Ennis Independent School District and its board of trustees and officers; authorizing the levying and collecting of taxes for said school purposes, and authorizing the right of eminent domain to condemn property for school purposes; authorizing the said independent school district to borrow

money without the issuance of bonds; authorizing the said board to be vested with all authority that is vested in boards of trustees of independent school districts by the general laws of the State of Texas, and authorizing them to employ an attorney for the protection of property, and declaring an emergency."

S. B. No. 355, "An Act to create the Palo Alto Independent School District out of a part of the Matamoras Common School District and the Bishop Independent School District in Nueces county, Texas; defining its boundaries; providing for a board of trustees in said district; conferring on said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of the State upon independent school districts and the board of trustees thereof; providing for the election of trustees, raising of revenue, issuing of bonds, building and maintaining schools; providing for the payment by the Palo Alto Independent School District of the pro rata share of the bonded indebtedness of the Bishop Independent School District and validating said obligation; providing for commissioners to fix the said pro rata share of said bonded indebtedness; repealing all laws in so far as they conflict herewith, and declaring an emergency."

S. B. No. 222, "An Act creating and establishing Santa Cruz Independent School District in Nueces county, Texas; defining its boundaries; providing for the election and qualification of trustees therefor and vesting said district with the rights, powers, duties and privileges of districts incorporated under general law for free school purposes, and declaring an emergency."

S. B. No. 403, "An Act validating Midway Common School District No. 44 of Johnson county, Texas, as the same is described in the order of the county board of trustees of Johnson county, dated June 3, 1922; validating an election for school house and equipment bonds in the sum of \$3000, held on July 3, 1922, together with all orders of the commissioners court of Johnson county, pursuant to said election and in respect to said bonds; also validating all levies of taxes made by the said commissioners court for the purpose of providing interest and sinking fund for said bonds; authorizing the Attorney General to approve said bonds; defining the powers of the county school trustees of Johnson county in respect to said district, and declaring an emergency."

S. B. No. 301, "An Act requiring the State Insurance Commission to make, establish, and promulgate classification of hazards and rates of premium under the Workmen's Compensation Law of this State and to prescribe standard workmen's compensation policy forms; requiring all companies and associations writing workmen's compensation insurance to use the classifications, rates, and policy forms established, promulgated and prescribed by the commission; providing for the use of classifications, rates and forms now on file with and approved by the Commissioner of Insurance until classifications, rates and policy forms have been made and prescribed by the commission; requiring the commission to assemble data for use in establishing classifications and rates, and requiring the Commissioner of Insurance to deliver to the commission all data under his control now used in establishing classifications, rates and policy form; authorizing and empowering the commission to require sworn statements from insurance companies and associations containing statistical data, and requiring the commission to describe necessary forms for such statements; fixing the manner in which the commission shall determine hazards and describing the kind and character of rates which shall be fixed, and providing what data shall be taken into consideration by the commission in fixing rates; providing for hearings before the commission and the manner in which the same shall be conducted; requiring the use of uniform policies for workmen's compensation insurance, but allowing any company or association to use any form or endorsement appropriate to its plan of operation providing the same shall diminish its liability to pay the compensation provided for in the Workmen's Compensation Law; providing that no company or association shall be prohibited from writing workmen's compensation insurance on the mutual, reciprocal or Lloyds plan, and that no stock company or other company or association shall be prohibited from sharing profits of policy holders but providing that no dividends to policy holders shall take effect until approved by the commission; fixing the salaries of the members of the commission hereunder and providing for expenditures to meet expenses hereunder, and fixing a maximum amount of such salaries and expenditures, and providing for the annual assessment and collection of a tax or premium for workmen's insurance policies to defray the salaries and ex-

penses of the commission hereunder, and provided that any unexpended balance shall be transferred to the general revenue of the State; empowering the commission to make and enforce reasonable rules and regulations; negating the application hereto of any provisions creating the State Insurance Commission; defining the words 'company' and 'association'; repealing Sections 16 and 17 of Part 3 and part of Section 2 of Part 4 of Chapter 103 of the General Laws of the Regular Session of the Thirty-sixth Legislature, known as the Workmen's Compensation Law, and all other sections or parts of sections of said law and all other laws or parts of laws in conflict herewith or any provisions hereof; providing that if any part of this act be held unconstitutional it shall not affect any other part of this act, and declaring an emergency."

RECESS.

On motion of Mr. Davenport, the House, at 12 o'clock m., took recess to 1:30 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 1:30 o'clock p. m. and was called to order by the Speaker.

REQUESTING RETURN OF SENATE BILL NO. 136 FROM SENATE.

On motion of Mr. Harrington, the Senate was requested to return Senate bill No. 136 to the House for further consideration.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER.

The Speaker signed in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolutions:

H. B. No. 666, "An Act to amend Chapter 18, Special Laws, Thirty-seventh Legislature, First Called Session, incorporating the Fruitvale Independent School District in Van Zandt county, Texas; providing for the maintenance of elementary schools in said district, and declaring an emergency."

H. B. No. 576, "An Act amending Chapter 52 of the Special and Local Laws passed by the Thirty-seventh Legislature at its First Called Session by adding thereto Section 3a, providing

for the assumption and refunding by the Cooper Independent School District of all or any part of the indebtedness, bonded or otherwise, of the city of Cooper, Texas, created for school purposes, and declaring an emergency."

H. B. No. 518, "An Act creating the Brackett Independent School District in Kinney county, Texas; defining its boundaries, including the Brackett Independent School District; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws upon independent school districts and the boards of trustees thereof; providing that the present board of trustees shall continue in office until the expiration of their respective terms and validating their elections; providing that outstanding bonds shall remain chargeable against the territory which voted same; providing for an election for the purpose of assuming said bonded indebtedness by the district as herein created; providing for the appointment of an assessor and collector and board of equalization for said district; repealing laws in conflict herewith, and declaring an emergency."

H. B. No. 528, "An Act taking certain territory from Common School District No. 16 of Baylor county and annexing the same to and making it part of Common School District No. 14 of Baylor county, and taking the remainder of the territory of said Common School District No. 16 and annexing the same unto Megargel Independent School District into a county line independent school district; conferring upon the same the powers now enjoyed by said Megargel Independent School District, and in addition thereto all of the powers which may be enjoyed or exercised by a county line independent school district; and providing for an election to adjust the territory thus attached to said common school district, and the territory thus attached to said independent school district, as to taxes which may be now levied upon said common school district and upon the property of said independent school district, and for an assumption by the said common school district and by said independent school district, respectively, of the pro rata taxes payable by said added territory on account of any outstanding bond issues which may exist against said

independent school district, and declaring an emergency."

H. B. No. 507, "An Act creating the Simmons Independent School District in Live Oak county, Texas; defining its boundaries; providing for a board of trustees; vesting title to all school property within said school district in the trustees and their successors; charging said district with all indebtedness and the performance of all contracts of the school included within the district; providing that the board of trustees heretofore elected and now serving the Simmons Common School District No. 2, as now existing, shall continue in office for the district hereby created until the expiration of their term and their successors shall have been elected and qualified; authorizing the trustees to exercise all the rights and powers conferred by general laws upon trustees of independent school districts created for school purposes only under the general laws; validating and continuing in force the local maintenance taxes heretofore voted by the voters in the territory included within the district hereby created, by a uniform tax upon the whole district, increase or diminish the same, or until they abolish such taxes in accordance with the general statutes; providing that if any part of this act is held ineffective or unconstitutional, the remaining part of this act shall not be invalidated; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 509, "An Act creating and incorporating the Levelland Independent School District, in Hockley county, Texas; defining the boundaries thereof; providing for a board of trustees, their election, terms of office, qualifications, powers, duties and authority; authorizing the board of trustees to levy, assess and collect taxes for maintenance and building purposes, and to issue bonds; providing for an assessor and collector of taxes and a board of equalization; providing that said Levelland Independent School District shall assume and discharge its pro rata part of the bonds and interest thereon now in force against the Ropes Independent School District on terms named in this act as well as its pro rata part of other indebtedness; continuing valid and binding obligations of said Ropes Independent School District; validating and continuing in force any and all taxes heretofore voted and now in force in any of

the territory included within the boundaries of Levelland Independent School District as created by this act; providing that title to any and all property belonging to said district shall vest in the trustees of the independent school district hereby created; providing for filling vacancies on the board of trustees; providing for a seal for said district; providing that the board of trustees shall be governed by the general laws of Texas in all matters where this act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any section or provision of this act shall not invalidate any remaining provisions of this act, and declaring an emergency."

H. B. No. 505, "An Act to amend the Special Road Law for Smith county, Texas, passed at the Regular Session of the Thirty-third Legislature, and known as Chapter 70, Special Laws of the Thirty-third Legislature, by providing that delinquent poll tax payers of Smith county shall be subject to road duty; prescribing penalties for failure to work the roads; providing for the payment of a sum of money in lieu of such road duty; providing how the law is to be enforced, and declaring an emergency."

H. B. No. 490, "An Act appropriating to the permanent public school fund whatsoever land that may be recovered to the State finally in the case of the State of Texas against George Findlay and others, in the Capital Syndicate land suit, and providing for the survey and sale of same with a reservation of minerals, and making an appropriation for a survey of the land, and declaring an emergency."

H. B. No. 488, "An Act to amend Section 6 of an act of the Thirty-third Legislature, Regular Session, 1913, creating a more efficient road law for Harris county, Texas, so as to permit county commissioners to give surety bonds, and provide that precinct road supervisors may be furnished by the county with an automobile while in the actual discharge or their official duties in connection with the construction, maintenance and inspection of roads in said county, and declaring an emergency."

H. B. No. 476, "An Act repealing Chapter 30 of the General Laws of the Regular Session of the Thirty-seventh Legislature, which chapter relates to the jurisdiction of the county court of Edwards county, and which vested in the county court of said county civil and criminal jurisdiction as provided by gen-

eral law for county courts, and reviving any and all laws which stand repealed by reason of said Chapter 30, General Laws, Regular Session, Thirty-seventh Legislature, and declaring an emergency."

H. B. No. 29, "An Act to amend Article 2, Title 1, of the Revised Civil Statutes of the State of Texas, 1911, relating to the adoption of heirs, so as to permit the adoption of minors only as legal heirs, and defining and designating the rights, privileges and inheritances of heirs by adoption, and declaring an emergency."

H. B. No. 419, "An Act to amend Article 7017, Revised Civil Statutes, 1911 conferring authority upon the commissioners courts of two or more counties to join in the construction of bridges and pay for the same out of the funds of the respective counties, and declaring an emergency."

H. B. No. 279, "An Act to amend Article 2771, Revised Statutes, 1911, as amended by the Thirty-fifth Legislature, Chapter 160, reducing the amount of bond required of depositories of independent districts."

H. B. No. 93, "An Act to make appropriation to pay off that certain note executed by the Prison Commission to Bassett Blakely for the purchase of certain mules, and declaring an emergency."

H. B. No. 33, "An Act requiring the labeling of all cloth, fabric, garments or articles of apparel sold or offered for sale in this State which contain wool or purport to contain wool, and samples containing or purporting to contain wool displayed in this State in soliciting orders, and providing for punishment for violation of this act."

H. B. No. 410, "An Act requiring the erection of adequate fire escapes on certain classes of three or more story buildings now or hereafter constructed in this State, and making it the duty of the owners of such buildings and the duty of all boards, commissions, boards of trustees of public schools, county commissioners court, city councils, boards of city commissioners, and all officials having charge or supervision of public buildings within the provisions of this act and owned by this State or by any county, city, town or school district to provide such buildings with adequate fire escapes; defining the terms 'owner,' 'story' and 'adequate fire escape,' and fixing minimum specifications for adequate fire escapes and re-

quiring the maintenance of exit and guide lights and signs for fire escapes, and making it an offense to obstruct the free access to any fire escape; fixing the time within which such buildings shall be equipped with fire escapes and exempting from this act certain buildings already equipped with fire escapes meeting certain requirements; fixing penalties for violation of any provision of this act by owners of buildings, and making it an offense for any person as agent to represent a non-resident owner of any building within the provisions of this act who fails to comply with this act and fixing penalty therefor; providing that the State Fire Marshall shall have general supervision of the enforcement of this act, and making it his duty and the duty of certain other officials to give notice of the provisions of this act and file complaints for violation of its provisions, and authorizing private persons to file such complaints, and making it the duty of county attorneys and district attorneys under certain conditions to prosecute such complaints; providing that the Attorney General and county and district attorneys may proceed by suit or injunction to enforce the provisions of this act, and permitting such suits to be prosecuted on the relation of said officials or of the State Fire Marshal or any inspector of the State Fire Commission, or the chief of any fire department or the fire marshal of any city or town, or of any private person, and authorizing district courts and judges thereof to issue mandatory injunctions and other writs to enforce the provisions of this act; providing that if any section, paragraph or provision of this act be held unconstitutional, that such holding shall not affect the remaining sections, paragraphs or provisions hereof; repealing Chapter 70 of the Acts of the Regular Session of the Thirtieth Legislature, passed and approved April 6, 1907, and Chapter 12 of the Acts of the Regular Session of the Thirty-fourth Legislature, passed and approved February 16, 1915, and Chapter 140 of the Acts of the Regular Session of the Thirty-fifth Legislature, passed and approved March 30, 1917, all relating to fire escapes, and also repealing Articles 861 to 867, inclusive, of the Penal Code of the Revised Criminal Statutes of 1911, and all laws and parts of laws in conflict with this act, and declaring an emergency."

H. B. No. 504, "An Act creating and

incorporating the Southland Independent School District in the counties of Garza, Lynn and Lubbock, in the State of Texas; defining the boundaries thereof; providing for a board of trustees, their election, duties and authority; authorizing the board of trustees to levy, assess and collect taxes for maintenance and building purposes, and to issue bonds; providing for an assessor and collector of taxes and a board of equalization; providing that said Southland Independent School District shall assume and discharge its pro rata part of any and all bonds, indebtedness and interest thereon now in force against the Slaton Independent School District on terms named in this act; providing that said Southland Independent School District shall assume and discharge all bonds and indebtedness existing against any common school district whose lands are included within the boundaries of the district hereby created; validating and continuing in force any and all taxes heretofore voted and now in force in any of the territory included within the boundaries of Southland Independent School District as created by this act; providing that title to any and all property belonging to said district shall vest in the trustees of the independent school district hereby created; providing for filling vacancies on the board of trustees; providing for a seal for said district; providing that the board of trustees shall be governed by the general laws of Texas in all matters where this act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any section or provision of this act shall not invalidate any remaining provisions of this act, and declaring an emergency."

H. B. No. 294, "An Act to reorganize the Forty-sixth and Forty-seventh Judicial Districts and to create the Ninety-third Judicial District of the State of Texas, and for the appointment of the district judge and district attorney for said Ninety-third Judicial District; providing for holding the district courts and the terms thereof in the Forty-sixth, Forty-seventh and Ninety-third Judicial Districts, respectively, and providing that all process and writs heretofore issued, and all recognizances and bonds heretofore made and executed and returnable to existing terms of district court in the counties composing said districts, together with jurors heretofore selected, are valid and returnable to the

first term of said court after this act takes effect, and providing for the continuation of the existing district courts in said counties in session when this act takes effect, to the end of their terms; repealing all conflicting laws, and declaring an emergency."

H. B. No. 566, "An Act to amend Chapter 87 of the Acts of the Regular Session of the Thirty-fifth Legislature and amendments thereof, by adding thereto a new section to be known as Section 138, and providing that the board of directors of a water improvement district may exclude from same without requiring an application therefor, lands which can not be irrigated by gravity flow from the canal system as planned and constructed, and if the owner of such lands shall thereafter and within one year elect to place said lands or part thereof in cultivation by use of water from said irrigation system by means other than provided at the time said lands were excluded, same may be again included in said district upon the application of the owner thereof made as provided by law; providing the manner of excluding and again including such lands in a district; also amending said act by amending Section 8 of Chapter 13 of the Acts of the Thirty-seventh Legislature, Regular Session, which act amended said Chapter 87, Acts of Regular Session of the Thirty-fifth Legislature, providing for the organization and operation of water improvement districts. This act amends Section 122 of said Chapter 87, Acts Regular Session Thirty-fifth Legislature as amended by Section 8, Acts of the Regular Session of the Thirty-seventh Legislature, and provided the manner and mode of levying and assessing taxes by such districts which may adopt the assessment of benefit plan of taxation, and that such districts may by election adopt a uniform basis of benefits apply to all lands irrigated by gravity flow from the canal system, and for a different basis of assessment on uniform basis on all lands classed as non-irrigable by gravity flow, and providing that if lands so classed as non-irrigable are thereafter irrigated the method of determining the amount of payments to be made thereon; the manner of adopting such assessments by election, and declaring an emergency."

H. B. No. 508, "An Act to amend Section 3 of an act creating the Poteet Independent School District in Atascosa county, Texas, being Chapter 23 of the Acts of the Thirty-third Legislature,

Regular Session; providing for the management and control of the public free schools within said district, and declaring an emergency."

H. B. No. 47, "An Act to amend Sections 1 and 15 of Chapter 81 of the General Laws of the State of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature, approved April 3, 1918, creating the Commission of Appeals of the State of Texas, as amended by Chapter 34 of the General Laws of the State of Texas, passed by the Second Called Session of the Thirty-sixth Legislature, approved July 2, 1919, as amended by Chapter 119 of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-seventh Legislature, approved March 31, 1921, extending the term of said commission to the last Saturday in June, 1923, and providing for the appointment of judges for said extended term; providing for the extension of the term of said commission from the last Saturday in June, 1923, until the last Saturday in June, 1925; for the appointment of judges for said extended term; providing for the qualifications thereof and fixing the same, and providing and fixing the salaries of the same and the manner of payment thereof, and declaring an emergency."

S. C. R. No. 21, Relating to Confederate sailors.

H. C. R. No. 28, In reference to University available school fund.

S. C. R. No. 22, Relating to birth registration.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, March 6, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 201, A bill to be entitled "An Act organizing the Forty-second Judicial District of Texas; defining its limitations and naming the counties which shall constitute same; providing for the transfer of Stephens county from said district to the Ninetieth Judicial District of Texas; providing for the transfer of all cases on the docket of the Forty-second Judicial District within the county of Stephens to the docket of the Ninetieth Judicial District in said county; and validating all writs, bonds, recognizances and process in all cases

pending upon the dockets of the district courts in the aforesaid counties, and declaring an emergency."

S. B. No. 344, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office to lease a group of three islands situated in Bahia Grande (Big Bay) in Cameron county, for a term not to exceed fifty years to the National Association of Audubon Societies for and in consideration of said association undertaking to propagate, protect and conserve birds and bird life thereon; providing punishment by fine and imprisonment for violations of this act, and declaring an emergency."

S. B. No. 362, A bill to be entitled "An Act to create the Desdemona Independent School District in Eastland and Erath counties, Texas, including the present Desdemona Independent School District of Eastland county; providing a board of trustees therefor; vesting said independent school district with all of the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; providing the board of trustees of the present Desdemona Independent School District shall continue to act as such until their successors are elected as provided herein; providing for the assumption of any outstanding indebtedness created by the present Desdemona Independent School District, and declaring an emergency."

S. B. No. 364, A bill to be entitled "An Act to repeal Chapter 74, Special Laws of the Thirty-second Legislature as amended by Chapter 96, Special Laws of the Thirty-third Legislature, and as further amended by Chapter 89, Special Laws of the Thirty-fourth Legislature, relating to the road system of Leon county, and declaring an emergency."

The Senate has adopted the adverse majority report on H. B. No. 151, by the following vote: 18 yeas, 8 nays and one pair.

• Respectfully,
RICHARD BLALOCK,
Assistant Secretary of the Senate.

BILL ORDERED NOT PRINTED.

On motion of Mr. Carpenter of Matagorda, Senate bill No. 325 was ordered not printed.

SENATE BILL NO. 141 ON PASSAGE TO THIRD READING.

The House resumed consideration of pending business, same being Senate bill

No. 141, relating to medical practice, on its passage to third reading, with amendment by Mr. McNatt pending.

Mr. Wilson moved the previous question on the amendment and the bill and the motion was not seconded.

Mr. Finlay moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. McNatt, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—45.

Amsler.	LeSturgeon.
Baker of Orange.	Lewis.
Bird.	Loftin.
Brady.	McDaniel.
Bryant.	McNatt.
Burmeister.	Merritt.
Carpenter	Morgan
of Matagorda.	of Liberty.
Coffee.	Pope.
Collins.	Potter.
Cowen.	Quinn.
Crawford.	Rice.
Davenport.	Robinson.
Davis.	Russell
Dielmann.	of Callahan.
Downs.	Sackett.
Edwards.	Shires.
Fields.	Stell.
Finlay.	Stewart
Gipson.	of Edwards.
Harris.	Thompson.
Henderson	Turner.
of McLennan.	Wessels.
Houston.	Wilmans.
Howeth.	Winfree.

Nays—73.

Abney.	Durham.
Arnold.	Faubion.
Avis.	Fugler.
Baldwin.	Green.
Barrett.	Hardin of Erath.
Beasley.	Hardin
Bell.	of Kaufman.
Blount.	Harrington.
Bonham.	Henderson
Carpenter	of Marion.
of Dallas.	Hughes.
Carson.	Irwin.
Carter of Coke.	Jennings.
Carter of Hays.	Kemble.
Covey.	Lackey.
Culp.	Lamb.
DeBerry.	Lane.
Dinkle.	LeMaster.
Dodd.	Looney.
Driggers.	McBride.
Dunlap.	McDonald.
Dunn.	McKean.

Martin.	Shearer.
Mathes.	Simpson.
Maxwell.	Smith.
Melson.	Sparkman.
Merriman.	Stevens.
Miller.	Stewart of Jasper.
Moore.	Stewart of Reeves.
Morgan	Stiernberg.
of Robertson.	Stroder.
Pate.	Teer.
Patterson.	Thrasher.
Perdue.	Vaughan.
Pinkston.	Wallace.
Pool.	Wells.
Rountree.	Westbrook.
Russell of Trinity.	Wilson.
Sanford.	Young.
Satterwhite.	

Present—Not Voting.

Duffey.

Absent.

Atkinson.	Laird.
Baker of Milam.	McFarlane.
Barker.	Montgomery.
Chitwood.	Price.
Hendricks.	Purl.
Hull.	Quaid.
Jacks.	Rogers.
Johnson.	Storey.
Jones.	

Absent—Excused.

Bobbitt.	Patman.
Cable.	Rowland.
Frnka.	Strickland.
Greer.	Sweet.
Lusk.	Williamson.

Mr. Culp offered the following amendment to the bill:

Amend Senate bill No. 141 by striking out the entire caption thereto, and inserting in lieu thereof the following:

A bill to be entitled "An Act regulating the practice of medicine, amending certain articles and adding new articles to Title 90, Chapter 1, of the Revised Civil Statutes of Texas; amending certain articles and adding new articles to Title 12, Chapter 6, of the Penal Code of the State of Texas, as follows: By amending Article 5737 of the Revised Civil Statutes, prescribing certain duties of district clerks relating to licenses to practice medicine; making it the duty of county health officers to keep informed as to the death or removal of physicians from the county of their residence and report such death or removal to district clerks; and providing certain fees of the district clerk for the performance of certain duties in connection with licenses to practice medicine; by

amending Article 5738 of the Revised Civil Statutes so as to vest power in the State Board of Medical Examiners to grant license to practice medicine to any reputable physician who is a graduate of a reputable medical college or who has qualified, on examination, for the certificate of medical qualification for a commission in the medical corps of the United States army or navy, and to licensees of other States or territories having requirements for medical registration and practice equal to those established by this act, and prescribing the fee to be paid for such licenses; by amending Article 5739 of the Revised Civil Statutes, relating to the examination of applicants for licenses and fees to be charged therefor, so as to leave it optional with the Board of Medical Examiners as to the time when the subjects in which and the fee for which an applicant who has failed to pass examination may take a subsequent examination, and providing the conditions under which such subsequent examination may be taken; amending Article 5741, Revised Civil Statutes, relating to the examinations of applicants for license, the subjects in which they shall be examined, and the conduct of such examination by authorizing the State Board of Medical Examiners, at its discretion, to conduct examinations in two parts, and prescribing the fee to be paid by the applicant for each examination, and providing for the use of interpreters, when necessary, in such examination, and the additional charge to be paid for the services of such interpreter; by amending Article 5742, Revised Civil Statutes, relating to the application of the Medical Practice Act, by providing that the same shall not apply to optometrists who confine their practice strictly to optometry, as defined in Chapter 51, Acts of the Thirty-seventh Legislature, First Called Session, and so as to provide that the act shall not be construed to affect or limit in any way the application or use of the principles, tenets or teachings of any church in the ministration to the sick or suffering by prayer, without the use of any drug or material remedy, when sanitary and quarantine laws and regulations are complied with and no charge is made therefor, directly or indirectly; by amending Chapter 129, Acts of the Regular Session of the Thirty-sixth Legislature, approved March 24, 1919, to be hereinafter known as Article 5744 of the Revised Civil Statutes, by conferring power upon the district courts of the State to cancel or suspend the

license of any practitioner of medicine, and providing the causes for such cancellation or suspension and the procedure to be had in all such cases; by adding a new article to the Revised Civil Statutes, to be numbered 5744, making it the duty of the Attorney General to institute civil or criminal proceedings to enforce the provisions of this act upon application of the State Board of Medical Examiners, where the county or district attorney has failed to enforce the same; by adding a new article to the Revised Civil Statutes, to be numbered 5744b, providing for the issuance of the writ of injunction to prevent the practice of medicine in violation of law and providing the procedure in all such cases and the limitations applicable to the granting of any injunction or restraining order and the manner in which such cases shall be tried and disposed of; by amending Article 50 of the Penal Code of the State of Texas, making it unlawful for any person to practice medicine without first taking the oath prescribed by law and having his license registered by the district clerk of the county where he is located or into which he may remove; by adding a new article to Chapter 6, Title 12, of the Penal Code of the State of Texas, to be Article 750a, making it unlawful for any person to practice medicine after his license has been canceled in the manner provided in this act, and by providing the punishment to be imposed in such cases; by amending Chapter 6 of Title 12 of the Penal Code of the State of Texas, by adding a new article to be known as Article 756a, providing that the making of a false oath by any applicant for a license in his application to the Board of Medical Examiners or the making of a false oath before the district clerk to secure registration shall constitute the crime of false swearing, and providing for the punishment in such cases; providing that, if any section or part of a section, provision, penalty, right or remedy contained in this act shall be held unconstitutional, invalid or inoperative, it shall not affect the remaining sections, parts of sections, provisions, rights or remedies prescribed by this act; and repealing all laws in conflict herewith, and declaring an emergency."

The amendment was adopted.

Question recurring on the passage of the bill to third reading, yeas and nays were demanded.

Senate bill No. 141 was then passed to third reading by the following vote:

Yeas—104.

Abney.	Lane.
Amsler.	LeMaster.
Arnold.	Loftin.
Avis.	Looney.
Baker of Orange.	McBride.
Baldwin.	McDaniel.
Barker.	McDonald.
Barrett.	McKean.
Beasley.	Martin.
Bell.	Mathes.
Blount.	Maxwell.
Bonham.	Melson.
Brady.	Merritt.
Burmeister.	Miller.
Carpenter	Moore.
of Dallas.	Morgan
Carson.	of Robertson.
Carter of Coke.	Pate.
Carter of Hays.	Patterson.
Coffee.	Perdue.
Covey.	Pinkston.
Cowen.	Pope.
Culp.	Potter.
DeBerry.	Quinn.
Dinkle.	Rice.
Dodd.	Robinson.
Downs.	Rountree.
Driggers.	Russell
Duffey.	of Callahan.
Dunlap.	Russell of Trinity.
Dunn.	Sackett.
Durham.	Sanford.
Edwards.	Satterwhite.
Faubion.	Shearer.
Finlay.	Shires.
Fugler.	Simpson.
Gipson.	Smith.
Green.	Sparkman.
Hardin of Erath.	Stevens.
Hardin	Stewart
of Kaufman.	of Edwards.
Harrington.	Stewart of Jasper.
Harris.	Stewart of Reeves.
Henderson	Stiernberg.
of Marion.	Storey.
Henderson	Stroder.
of McLennan.	Teer.
Hendricks.	Thompson.
Hughes.	Thrasher.
Hull.	Vaughan.
Irwin.	Wallace.
Jacks.	Wells.
Jennings.	Westbrook.
Kemble.	Wilson.
Lackey.	Young.
Lamb.	

Nays—19.

Bryant.	Davis.
Carpenter	Dielmann.
of Matagorda.	Fields.
Collins.	Houston.
Crawford.	Howeth.
Davenport.	LeStourgeon.

Lewis.	Turner.
McNatt.	Wessels.
Morgan	Wilmans.
of Liberty.	Winfree.
Stell.	

Present—Not Voting.

Bird.

Absent.

Atkinson.	Montgomery.
Baker of Milam.	Pool.
Chitwood.	Price.
Johnson.	Purl.
Jones.	Quaid.
Laird.	Rogers.
McFarlane.	

Absent—Excused.

Bobbitt.	Patman.
Cable.	Rowland.
Frnka.	Strickland.
Greer.	Sweet.
Lusk.	Williamson.
Merriman.	

Mr. Culp moved to reconsider the vote by which the bill was passed to third reading and to table the motion to reconsider.

The motion to table prevailed.

MOTION TO TAKE UP SENATE BILL NO. 141.

Mr. Culp moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 141 be placed on its third reading and final passage.

The motion was lost by the following vote, not receiving the necessary four-fifths votes:

Yeas—79.

Arnold.	Driggers.
Avis.	Duffey.
Baldwin.	Dunlap.
Barker.	Dunn.
Barrett.	Durham.
Beasley.	Faubion.
Bell.	Fugler.
Blount.	Green.
Bonham.	Hardin of Erath.
Carpenter	Hardin
of Dallas.	of Kaufman.
Carson.	Harrington.
Carter of Hays.	Henderson
Coffee.	of Marion.
Covey.	Hughes.
Cowen.	Hull.
Culp.	Irwin.
DeBerry.	Jennings.
Dinkle.	Kemble.
Dodd.	Lackey.

Lamb.	Rogers.
Lane.	Rountree.
LeMaster.	Russell of Trinity.
Looney.	Sackett.
McBride.	Sanford.
McDonald.	Satterwhite.
McKean.	Shearer.
Martin.	Simpson.
Mathes.	Smith.
Maxwell.	Stewart
Melson.	of Edwards.
Miller.	Stewart of Reeves.
Moore.	Storey.
Morgan	Stroder.
of Robertson.	Teer.
Pate.	Thrasher.
Patterson.	Vaughan.
Perdue.	Wallace.
Pinkston.	Wells.
Quinn.	Wilson.
Rice.	Winfree.
Robinson.	Young.

Nays—40.

Abney.	Jacks.
Amsler.	LeStourgeon.
Baker of Orange.	Lewis.
Bird.	McDaniel.
Brady.	McNatt.
Bryant.	Merritt.
Burmeister.	Morgan
Carpenter	of Liberty.
of Matagorda.	Pope.
Collins.	Potter.
Crawford.	Russell
Davenport.	of Callahan.
Davis.	Shires.
Dielmann.	Sparkman.
Downs.	Stell.
Edwards.	Stevens.
Fields.	Stewart of Jasper.
Finlay.	Stiernberg.
Henderson	Thompson.
of McLennan.	Turner.
Hendricks.	Wessels.
Houston.	Wilmans.
Howeth.	

Absent.

Atkinson.	Loftin.
Baker of Milam.	McFarlane.
Carter of Coke.	Montgomery.
Chitwood.	Pool.
Gipson.	Price.
Harris.	Purl.
Johnson.	Quaid.
Jones.	Westbrook.
Laird.	

Absent—Excused.

Bobbitt.	Patman.
Cable.	Rowland.
Frnka.	Strickland.
Greer.	Sweet.
Lusk.	Williamson.
Merriman.	

NOTICE GIVEN.

Mr. Davenport gave notice that he would on tomorrow call up for consideration at that time, House bill No. 223, which bill had heretofore been laid on the table subject to call.

HOUSE JOINT RESOLUTION NO. 8
ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. J. R. No. 8, Proposing a constitutional amendment relating to publishing and printing school books for the public schools.

Mr. Wessels offered the following amendment to the resolution:

Amend House joint resolution No. 8, strike out Section 4 on line 39 and 40, and page 2, lines 1 and 2.

Mr. Simpson moved a call of the House for the purpose of maintaining a quorum until 5 o'clock p. m. today, and the motion was lost.

Mr. Morgan of Robertson, moved the previous question on the pending amendment and the resolution, and the motion was not seconded.

Question recurring on the amendment, it was lost.

Mr. Fields offered the following amendment to the resolution:-

Strike out, in line 24, the words "Saturday, July 28, 1923," and insert in lieu thereof the words "on Tuesday after the first Monday in November, A. D., 1924."

(Mr. Burmeister in the chair.)

The amendment was adopted.

Question—Shall the resolution be passed?

The Clerk was directed to call the roll and the resolution failed to pass by the following vote, not receiving the two-thirds vote of the entire membership of the House:

Yeas—85.

Abney.	Carpenter
Arnold.	of Dallas.
Atkinson.	Carson.
Avis.	Carter of Hays.
Baker of Milam.	Cowen.
Barker.	Davenport.
Barrett.	Davis.
Beasley.	DeBerry.
Bird.	Dielmann.
Blount.	Dinkle.
Bonham.	Dodd.
Bryant.	Downs.
Burmeister.	Driggers.

Duffey.
Dunlap.
Faubion.
Finlay.
Gipson.
Hardin of Erath.
Henderson
of Marion.
Henderson
of McLennan.
Houston.
Howeth.
Hughes.
Hull.
Irwin.
Jacks.
Jones.
Lackey.
Laird.
Lamb.
Lane.
LeMaster.
LeSturgeon.
Lewis.
Loftin.
Looney.
McBride.
McDaniel.
McDonald.
McKean.
Martin.
Mathes.
Merritt.

Morgan
of Liberty.
Morgan
of Robertson.
Pate.
Patterson.
Perdue.
Pinkston.
Pool.
Pope.
Quinn.
Rice.
Robinson.
Rogers.
Russell
of Callahan.
Sackett.
Shearer.
Simpson.
Stell.
Stewart
of Edwards.
Stewart of Jasper.
Storey.
Stroder.
Thompson.
Thrasher.
Turner.
Wallace.
Wells.
Wilman.
Wilson.
Winfree.
Young.

Nays—16.

Baldwin.	Hendricks.
Bell.	Moore.
Dunn.	Satterwhite.
Fields.	Smith.
Green.	Sparkman.
Hardin of Kaufman.	Stevens.
Harrington.	Westbrook.
Harris.	Wessels.

Absent.

Amsler.	McNatt.
Baker of Orange.	Maxwell.
Brady.	Melson.
Carpenter	Miller.
of Matagorda.	Montgomery.
Carter of Coke.	Potter.
Chitwood.	Price.
Coffee.	Purl.
Collins.	Quaid.
Covey.	Rountree.
Crawford.	Russell of Trinity.
Culp.	Sanford.
Durham.	Shires.
Edwards.	Stewart of Reeves.
Fugler.	Strickland.
Jennings.	Teer.
Johnson.	Vaughan.
Kemble.	Williamson.
McFarlane.	

Absent—Excused.

Bobbitt.	Merriman.
Cable.	Patman.
Frnka.	Rowland.
Greer.	Stiernberg.
Lusk.	Sweet.

Mr. LeSturgeon moved to reconsider the vote by which the resolution was lost and to spread the motion to reconsider on the Journal.

HOUSE JOINT RESOLUTION NO. 12 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. J. R. No. 12, Proposing an amendment to Section 13 of Article 5 of the Constitution of the State of Texas prescribing the number of men which shall constitute grand and petit juries in the district courts; defining a quorum for grand juries; permitting nine jurors to render a verdict in civil cases and in criminal cases, below the grade of felony, in the district court; providing for jurors less than twelve to render a verdict in all cases under certain circumstances; conferring upon the Legislature power to change or modify the rule authorizing a verdict by less than the whole number of the jury by authorizing the Legislature to provide for the selection and empaneling of one additional male juror in felony cases to be known as an "alternate juror" who shall serve on the regular jury, when a vacancy occurs thereon from death or by a member becoming disabled, as may be provided by law.

The resolution was read second time.

Mr. Faubion offered the following amendment to the resolution:

Amend House joint resolution No. 12, page 2, line 8, by striking out the words and figures "the fourth Saturday in July, 1923," after the word "on," and inserting in lieu thereof the words "Tuesday after the first Monday in November, A. D. 1924."

Mr. Carpenter of Dallas moved a call of the House for the purpose of maintaining a quorum until 5 o'clock p. m. today, and the call was duly seconded.

Question then recurring on the motion for the call of the House, it prevailed.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall

without written permission from the Speaker.

The roll was called and the Speaker announced that there was a quorum present.

On motion of Mr. Stewart of Reeves, the Sergeant-at-Arms was instructed to bring in all the absentees within the city.

Mr. Purl moved that the House adjourn until 9 o'clock a. m. tomorrow, and the motion was lost.

Mr. Faubion moved that further consideration of the resolution be postponed until 11 o'clock a. m. tomorrow, and the motion was lost.

Question recurring on the amendment by Mr. Faubion to House joint resolution No. 12, it was adopted.

Mr. Fields offered the following amendment to the resolution:

Amend House joint resolution No. 12 as follows:

On page 1 strike out all after line 19 and insert the following: "Grand and petit jurors in the district courts shall be composed of twelve men; but nine members of a grand jury shall be a quorum to transact business and present bills. In trials of both civil and criminal cases in the district courts nine members of the jury concurring may render a verdict, but when the verdict shall be rendered by less than the whole number it shall be signed by every member of the jury concurring in it. When pending the trial of any case, civil or criminal, one or more jurors, not exceeding three, may die or be disabled from sitting, the remainder of the jury shall have the power to render a verdict, in accordance with the foregoing terms of this section."

Sec. 2. The foregoing proposed constitutional amendment shall be submitted to a vote of the qualified voters of this State at an election to be held on Tuesday next after the first Monday in November, A. D. 1924, at which election all voters shall have printed or written on their ballots the words "For amendment to Section 13 of Article 5 of the Constitution, authorizing legislation to provide that nine jurors may render a verdict in any civil or criminal case tried in a district court," and "Against amendment to Section 13 of Article 5 of the Constitution, authorizing legislation to provide that nine jurors may render a verdict in any civil or criminal case tried in a district court."

Sec. 3. The Governor is hereby di-

rected to issue the proclamation for said election and have the same published as is required by the Constitution and laws of this State, and the sum of five thousand (\$5000) dollars or so much thereof as may be necessary is hereby appropriated out of any funds of the State Treasury not otherwise appropriated for the purposes of paying the necessary expenses of the proclamation and publication of this amendment and the election to be held thereunder.

The amendment was lost.

Question—Shall the resolution be passed?

The Clerk was directed to call the roll and the resolution failed to pass by the following vote:

Yeas—50.

Arnold.	Jacks.
Baker of Milam.	Lackey.
Baker of Orange.	LeSturgeon.
Barrett.	McNatt.
Bryant.	Merritt.
Burmeister.	Montgomery.
Carpenter	Morgan
of Matagorda.	of Liberty.
Carter of Coke.	Perdue.
Cowen.	Pinkston.
Crawford.	Pool.
Davenport.	Quinn.
Davis.	Rountree.
Dinkle.	Sackett.
Downs.	Shearer.
Driggers.	Simpson.
Dufley.	Sparkman.
Dunlap.	Stell.
Durham.	Stevens.
Faubion.	Stewart
Fields.	of Edwards.
Finlay.	Stewart of Jasper.
Gipson.	Stewart of Reeves.
Henderson	Teer.
of McLennan.	Vaughan.
Hendricks.	Wells.
Hull.	Young.

Nays—71.

Abney.	Covey.
Amaker.	Culp.
Atkinson.	DeBerry.
Avis.	Dielmann.
Baldwin.	Dodd.
Barker.	Dunn.
Beasley.	Fugler.
Bell.	Green.
Bird.	Hardin of Erath.
Blount.	Hardin
Carpenter	of Kaufman.
of Dallas.	Harrington.
Carson.	Henderson
Carter of Hays.	of Marion.
Coffee.	Houston.
Collins.	Howeth.

Hughes.	Patterson.
Irwin.	Potter.
Jennings.	Purl.
Jones.	Quaid.
Kemble.	Rice.
Laird.	Robinson.
Lamb.	Russell
LeMaster.	of Callahan.
Loftin.	Russell of Trinity.
Looney.	Sanford.
McBride.	Satterwhite.
McDaniel.	Shires.
McDonald.	Smith.
McFarlane.	Stiernberg.
McKean.	Storey.
Martin.	Stroder.
Maxwell.	Thompson.
Melson.	Thrasher.
Miller.	Wallace.
Moore.	Westbrook.
Morgan	Wessels.
of Robertson.	Wilson.
Pate.	

Absent.

Bonham.	Mathes.
Brady.	Pope.
Chitwood.	Price.
Edwards.	Rogers.
Harris.	Turner.
Johnson.	Williamson.
Lane.	Wilmons.
Lewis.	Winfree.

Absent—Excused.

Bobbitt.	Merriman.
Cable.	Patman.
Ernka.	Rowland.
Greer.	Strickland.
Lusk.	Sweet.

HOUSE JOINT RESOLUTION NO. 13 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. J. R. No. 13, Proposing an amendment to Section 51 of Article 3 of the Constitution of the State of Texas, to provide that the Legislature may grant pensions to Confederate soldiers, sailors, and their widows, who have been citizens of Texas prior to January 1, 1900; providing that all soldiers, sailors and their widows eligible under the provisions hereof shall be entitled to be placed upon the rolls and participate in the pension fund created hereunder: levying a tax of ten (\$0.10) cents on the \$100 valuation of property in this State for the payment of such pension; providing that the Legislature may reduce the rate of such pension: fixing a time for the election to be held on such

amendment, and making appropriations to pay the expenses thereof.

The resolution was read third time.

Mr. Baker of Milam offered the following amendment to the resolution:

Amend House joint resolution No. 13 by changing the figures "1900," in lines 27, 28 and 36 of page 1 of the bill, and insert in lieu thereof the figures "1910," and strike from line 38 of the same page the figures "1861," and insert the figures "1870."

(Speaker in the chair.)

On motion of Mr. Jacks, the call of the House was extended until 5:30 o'clock p. m. today.

Mr. Carpenter of Matagorda moved the previous question on the pending amendment and the resolution, and the main question was ordered.

Question first recurring on the amendment, it was adopted.

Question—Shall the resolution be passed?

The Clerk was directed to call the roll and the resolution was passed by the following vote:

Yeas—109.

Mr. Speaker.	Durham.
Abney.	Edwards.
Amsler.	Faubion.
Arnold.	Fields.
Atkinson.	Finlay.
Avis.	Fugler.
Baker of Milam.	Green.
Baldwin.	Hardin of Erath.
Barker.	Hardin
Barrett.	of Kaufman.
Beasley.	Harrington.
Bell.	Harris.
Blount.	Henderson
Bonham.	of Marion.
Brady.	Henderson
Bryant.	of McLennan.
Burmeister.	Houston.
Carpenter	Hughes.
of Dallas.	Hull.
Carpenter	Irwin.
of Matagorda.	Jacks.
Carson.	Jennings.
Carter of Hays.	Jones.
Collins.	Kemble.
Covey.	Lackey.
Crawford.	Laird.
Davenport.	Lamb.
DeBerry.	Lane.
Dinkle.	LeStourgeon.
Dodd.	Lewis.
Downs.	Loftin.
Driggers.	Looney.
Duffey.	McBride.
Dunlap.	McDaniel.
Dunn.	McDonald.

McFarlane.
McKean.
McNatt.
Martin.
Maxwell.
Merritt.
Miller.
Montgomery.
Moore.
Morgan
of Liberty.
Morgan
of Robertson.
Pate.
Perdue.
Pinkston.
Pool.
Potter.
Purl.
Quaid.
Quinn.
Rice.
Robinson.
Rountree.

Russell
of Callahan.
Russell of Trinity.
Sackett.
Sanford.
Satterwhite.
Shearer.
Shires.
Simpson.
Sparkman.
Stell.
Stewart
of Edwards.
Stewart of Jasper.
Stewart of Reeves.
Storey.
Stroder.
Teer.
Thrasher.
Turner.
Wells.
Westbrook.
Wilson.
Winfree.
Young.

Nays—5.

Davis.
LeMaster.
Mathes.

Patterson.
Thompson.

Absent.

Baker of Orange.	Melson.
Bird.	Pope.
Carter of Coke.	Price.
Chitwood.	Rogers.
Coffee.	Smith.
Cowen.	Stevens.
Culp.	Stiernberg.
Dielmann.	Vaughan.
Gipson.	Wallace.
Hendricks.	Wessels.
Howeth.	Wilmsans.
Johnson.	

Absent—Excused.

Bobbitt.	Patman.
Cable.	Rowland.
Frnka.	Strickland.
Greer.	Sweet.
Lusk.	Williamson.
Merriman.	

HOUSE JOINT RESOLUTION NO. 15 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. J. R. No. 15, Proposing to amend Article 11 of the Constitution of the State of Texas by adding thereto at the end thereof another Section 11, providing for the creation of defined districts under proper legislative provisions, within the limits of cities and towns having more than three thousand inhabitants,

for the purpose of constructing, improving and maintaining streets, alleys and sidewalks; constructing waterworks systems and sewerage systems; establishing and maintaining public parks and playgrounds; and improving any river, creek, bayou, stream or other body of water, and to drain and otherwise protect territory within the limits of such districts; conferring upon the Legislature the authority to pass laws with reference thereto; fixing the time for the election for the adoption or rejection of said proposed constitutional amendment; making certain provisions for said election and the ballots thereof and the method thereof; directing the issuance of the proclamation therefor; prescribing certain duties of the Governor of the State and making an appropriation to defray the expenses of said election.

The resolution was read third time and failed to pass by the following vote:

Yeas—51.

Abney.	Hardin of Erath.
Amsler.	Harrington.
Baker of Milam.	Irwin.
Baker of Orange.	Jacks.
Bird.	Lane.
Brady.	Lewis.
Burmeister.	Loftin.
Carpenter	Looney.
of Dallas.	McDonald.
Carpenter	McFarlane.
of Matagorda.	Melson.
Carter of Hays.	Miller.
Coffee.	Montgomery.
Collins.	Moore.
Covey.	Perdue.
Crawford.	Purl.
Dodd.	Robinson.
Downs.	Rountree.
Driggers.	Sackett.
Duffey.	Simpson.
Dunn.	Stevens.
Durham.	Stewart of Reeves.
Edwards.	Storey.
Faubion.	Stroder.
Finlay.	Wilson.
Fugler.	Young.
Green.	

Nays—65.

Arnold.	Carter of Coke.
Atkinson.	Cowen.
Avis.	Davenport.
Baldwin.	Davis.
Barker.	DeBerry.
Barrett.	Dunlap.
Beasley.	Harris.
Bell.	Henderson
Bonham.	of Marion.
Bryant.	Henderson
Carson.	of McLennan.

Houston.	Pool.
Howeth.	Potter.
Hughes.	Price.
Jennings.	Quaid.
Jones.	Quinn.
Kemble.	Rogers.
Lackey.	Russell
Laird.	of Callahan.
Lamb.	Russell of Trinity.
LeMaster.	Sanford.
LeSturgeon.	Satterwhite.
McBride.	Shearer.
McDaniel.	Sparkman.
McKean.	Stell.
McNatt.	Stewart of Jasper.
Martin.	Teer.
Mathes.	Thompson.
Maxwell.	Thrasher.
Merritt.	Turner.
Morgan	Wallace.
of Liberty.	Wells.
Morgan	Westbrook.
of Robertson.	Wessels.
Patterson.	Wilmans.
Pinkston.	

Absent.

Blount.	Johnson.
Chitwood.	Pate.
Culp.	Pope.
Dielmann.	Rice.
Dinkle.	Shires.
Fields.	Smith.
Gipson.	Stewart
Hardin	of Edwards.
of Kaufman.	Stiernberg.
Hendricks.	Vaughan.
Hull.	Winfree.

Absent—Excused.

Bobbitt.	Patman.
Cable.	Rowland.
Frnka.	Strickland.
Greer.	Sweet.
Lusk.	Williamson.
Merriman.	

HOUSE JOINT RESOLUTION NO. 16
ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. J. R. No. 16, Proposing an amendment to Article 8 of the Constitution of the State of Texas, which relates to taxation and revenues, by adding thereto a new section to be known as Section 9a, directing the Legislature to provide for the construction, operation and maintenance, under State control, of a system of public highways; authorizing the Legislature to provide for the issuance of bonds of the State or other form of indebtedness for the construction of a State system of public highways, and to provide for the pay-

ment of said bonds; providing for an election for the ratification of the amendment herein proposed, and making an appropriation to defray the expense of said election.

The resolution was read third time and was passed by the following vote:

Yeas—103.

Mr. Speaker.	Lamb.
Amsler.	Lane.
Arnold.	LeStourgeon.
Avis.	Lewis.
Baker of Milam.	Loftin.
Baker of Orange.	McBride.
Barrett.	McDonald.
Beasley.	McNatt.
Bell.	Martin.
Bird.	Mathes.
Bonham.	Maxwell.
Brady.	Melson.
Bryant.	Montgomery.
Burmeister.	Moore.
Carpenter	Morgan
of Dallas.	of Robertson.
Carpenter	Pate.
of Matagorda.	Patterson.
Carson.	Perdue.
Carter of Coke.	Pinkston.
Carter of Hays.	Pool.
Coffee.	Potter.
Collins.	Purl.
Cowen.	Quaid.
Crawford.	Rice.
Culp.	Robinson.
Davenport.	Rogers.
DeBerry.	Rountree.
Dielmann.	Russell
Dinkle.	of Callahan.
Dodd.	Sackett.
Downs.	Sanford.
Driggers.	Satterwhite.
Duffey.	Shearer.
Dunlap.	Shires.
Dunn.	Simpson.
Durham.	Smith.
Edwards.	Sparkman.
Faubion.	Stewart
Fields.	of Edwards.
Fugler.	Stewart of Jasper.
Gipson.	Stewart of Reeves.
Green.	Stiernberg.
Hardin of Erath.	Stroder.
Harrington.	Teer.
Henderson	Thrasher.
of Marion.	Turner.
Howeth.	Vaughan.
Hughes.	Wallace.
Irwin.	Wells.
Jennings.	Wilmans.
Jones.	Wilson.
Kemble.	Winfrey.
Lackey.	Young.
Laird.	

Nays—27.

Abney.	McDaniel.
Atkinson.	McFarlane.
Baldwin.	McKean.
Barker.	Merritt.
Covey.	Miller.
Davis.	Morgan
Finlay.	of Liberty.
Hardin	Quinn.
of Kaufman.	Russell of Trinity.
Harris.	Stell.
Houston.	Stevens.
Hull.	Storey.
Jacks.	Thompson.
LeMaster.	Wessels.
Looney.	

Present—Not Voting

Westbrook.

Absent.

Blount.	Johnson.
Chitwood.	Pope.
Henderson	Price.
of McLennan.	Williamson.
Hendricks.	

Absent—Excused.

Bobbitt.	Merriman.
Cable.	Patman.
Frnka.	Rowland.
Greer.	Strickland.
Lusk.	Sweet.

Mr. Burmeister moved to reconsider the vote by which the resolution was passed and to table the motion to reconsider.

The motion to table prevailed.

HOUSE JOINT RESOLUTION NO. 19 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, H. J. R. No. 19, Proposing an amendment to Article 8 of the State Constitution providing for the exemption of cotton mills from taxation for a period of ten years.

The resolution was read third time and failed to pass by the following vote, not receiving the necessary two-thirds vote of the members of the House:

Yeas—68.

Abney.	Carpenter
Arnold.	of Matagorda.
Atkinson.	Carson.
Barker.	Carter of Coke.
Bonham.	Collins.
Bryant.	Covey.
Carpenter	Cowen.
of Dallas.	Culp.

Dinkle.	Perdue.
Dodd.	Pinkston.
Downs.	Purl.
Driggers.	Quinn.
Duffey.	Rogers.
Dunlap.	Rountree.
Dunn.	Russell
Durham.	of Callahan.
Edwards.	Russell of Trinity.
Faubion.	Sackett.
Finlay.	Shearer.
Fugler.	Shires.
Green.	Simpson.
Houston.	Smith.
Howeth.	Sparkman.
Irwin.	Stevens.
Jennings.	Stewart
Laird.	of Edwards.
Lamb.	Stewart of Reeves.
LeStourgeon.	Stroder.
McBride.	Teer.
McDaniel.	Thrasher.
McFarlane.	Turner.
McKean.	Wells.
Merritt.	Westbrook.
Montgomery.	Wilmans.
Moore.	Winfree.
Pate.	Young.

Nays—53.

Amsler.	LeMaster.
Baker of Milam.	Loftin.
Baker of Orange.	Looney.
Baldwin.	McDonald.
Barrett.	McNatt.
Beasley.	Martin.
Bell.	Mathes.
Bird.	Maxwell.
Blount.	Melson.
Carter of Hays.	Miller.
Coffee.	Morgan
Crawford.	of Liberty.
Davis.	Morgan
DeBerry.	of Robertson.
Dielmann.	Patterson.
Fields.	Potter.
Harrington.	Quaid.
Harris.	Rice.
Henderson	Robinson.
of Marion.	Sanford.
Henderson	Satterwhite.
of McLennan.	Stell.
Hendricks.	Stiernberg.
Hughes.	Storey.
Hull.	Thompson.
Jacks.	Vaughan.
Jones.	Wallace.
Kemble.	Wessels.
Lane.	Wilson.

Absent.

Avis.	Gipson.
Brady.	Hardin of Erath.
Burmeister.	Hardin
Chitwood.	of Kaufman.
Davenport.	Johnson.

Lackey.	Price.
Lewis.	Stewart of Jasper.
Pool.	Williamson.
Pope.	

Absent—Excused.

Bobbitt.	Merriman.
Cable.	Patman.
Frnka.	Rowland.
Greer.	Strickland.
Lusk.	Sweet.

Reason For Vote.

My reason for vote is on page 1019.
YOUNG.

Mr. Stell moved to reconsider the vote by which the resolution failed to pass and to spread the motion to reconsider on the Journal.

HOUSE JOINT RESOLUTION NO. 22
ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. J. R. No. 22, Submitting to the people an amendment to the Constitution of Texas limiting the power of the Legislature to levy an ad valorem tax not to exceed thirty-five cents on the one hundred dollar valuation for school purposes, and five cents for pension purposes, and for the exemption of payment of the ad valorem tax or any other tax on property or privilege upon which a special tax or any other tax is levied. Providing that the Legislature cannot exempt from the payment of the ad valorem tax real property, tangible personal property (not including money or credits), and railroad properties (not including intangible values of same). The situs of said property for local taxation purposes to be governed by act of Legislature. Said amendment to be effective on or after January 1, 1923.

The resolution was read third time.

On motion of Mr. Abney, the resolution was laid on the table subject to call.

HOUSE JOINT RESOLUTION NO. 24
ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. J. R. No. 24, Amending Article 16 of the Constitution of Texas by adding thereto a new section designated as Section 61, giving to the Legislature power and authority to provide pensions for firemen and policemen; providing for submission of resolution to voters of

Texas, and making appropriation therefor.

The resolution was read second time and was passed to engrossment by the following vote:

Yeas—71.

Amsler.	LeSturgeon.
Arnold.	Lewis.
Atkinson.	McBride.
Baker of Orange.	McDaniel.
Barker.	McDonald.
Bell.	McNatt.
Bryant.	Martin.
Burmeister.	Melson.
Carpenter	Montgomery.
of Dallas.	Moore.
Carson.	Morgan
Carter of Hays.	of Liberty.
Coffee.	Morgan
Collins.	of Robertson.
DeBerry.	Patterson.
Dielmann.	Perdue.
Dinkle.	Potter.
Dodd.	Purl.
Driggers.	Quaid.
Duffey.	Quinn.
Dunn.	Robinson.
Durham.	Russell
Fields.	of Callahan.
Finlay.	Russell of Trinity.
Green.	Sackett.
Hardin of Erath.	Sanford.
Harrington.	Satterwhite.
Henderson	Shearer.
of Marion.	Shires.
Hendricks.	Simpson.
Howeth.	Sparkman.
Hull.	Stewart of Reeves.
Irwin.	Stroder.
Jacks.	Thrasher.
Kemble.	Wallace.
Laird.	Winfree.
Lamb.	Young.
Lane.	

Nays—44.

Abney.	Hughes.
Baker of Milam.	Jennings.
Baldwin.	Jones.
Barrett.	Lackey.
Beasley.	LeMaster.
Bird.	Loftin.
Bonham.	Looney.
Brady.	McFarlane.
Carpenter	McKean.
of Matagorda.	Mathes.
Carter of Coke.	Maxwell.
Covey.	Merritt.
Crawford.	Pinkston.
Culp.	Rice.
Davis.	Rountree.
Downs.	Smith.
Faubion.	Stell.
Henderson	Stevens.
of McLennan.	Stiernberg.

Stewart
of Edwards.
Storey.
Teer.
Thompson.

Vaughan.
Wells.
Westbrook.
Wessels.
Wilson.

Present—Not Voting.

Harris.

Absent.

Avis.	Houston.
Blount.	Johnson.
Chitwood.	Miller.
Cowen.	Pate.
Davenport.	Pool.
Dunlap.	Pope.
Edwards.	Price.
Fugler.	Rogers.
Gipson.	Stewart of Jasper.
Hardin	Turner.
of Kaufman.	Wilmans.

Absent—Excused.

Bobbitt.	Patman.
Cable.	Rowland.
Frnka.	Strickland.
Greer.	Sweet.
Lusk.	Williamson.
Merriman.	

HOUSE JOINT RESOLUTION NO. 25 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. J. R. No. 25, Proposing amendments to Sections 5 and 21 and 22 and 23 of Article 4, and Section 24 of Article 3 of the Constitution of the State of Texas, and fixing a time for the election to be held on such amendments.

The resolution was read second time.

Mr. Moore offered the following (committee) amendments to the resolution:

(1)

Amend Section 1 by inserting after the figure "4" the words and figures "Section 2 of Article 3."

(2)

Insert between Sections 23 and 24 the following: "Section 2. The Senate shall consist of thirty-one members and shall never be increased above this number. The House of Representatives shall consist of one hundred members, upon the ratio of not more than one representative for every fifty thousand inhabitants; provided the number of representatives shall never exceed one hundred."

(3)

Insert after the first paragraph of

Section 2 the following: "Official Ballot." "For amendment of Section 2 of Article 3 of the Constitution of the State of Texas providing for the reduction of the number of members of the House of Representatives." "Against amendment to Section 2 of Article 3 of the Constitution of the State of Texas providing for the reduction of the number of members of the House of Representatives."

The amendments were severally lost.

Mr. Satterwhite offered the following amendment to the resolution:

Amend House joint resolution No. 25 by striking out the figures "\$5000" in line 27, page 1, and insert in lieu thereof "\$4000." Strike out the figures "\$7500" in line 3, page 2, and insert in lieu thereof "\$6500." Strike out the figures "\$5000" in line 7, page 2, and insert in lieu thereof the figures "\$4000."

The amendment was adopted.

Mr. Wallace offered the following amendment to the resolution:

Amend House Joint Resolution No. 22, page 2, by striking out Section 4.

On motion of Mr. Satterwhite, the call of the House was extended to 5:45 o'clock p. m. today.

Mr. DeBerry moved the previous question on the amendment and the resolution, and the main question was ordered.

Question first recurring on the amendment by Mr. Wallace, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—19.

Abney.	Howeth.
Atkinson.	Jones.
Bird.	LeMaster.
Bryant.	Merritt.
Crawford.	Sanford.
Dodd.	Sparkman.
Finlay.	Wallace.
Gipson.	Wells.
Hardin	Young.
of Kaufman.	

Nays—96.

Amsler.	Bonham.
Arnold.	Brady.
Avis.	Burmeister.
Baker of Milam.	Carpenter
Baker of Orange.	of Dallas.
Baldwin.	Carpenter
Barker.	of Matagorda.
Barrett.	Carson.
Beasley.	Carter of Coke.
Bell.	Carter of Hays.

Collins.	Martin.
Covey.	Maxwell.
Culp.	Miller.
Davis.	Moore.
DeBerry.	Morgan
Dielmann.	of Liberty.
Dinkle.	Morgan
Downs.	of Robertson.
Driggers.	Pate.
Duffey.	Patterson.
Dunn.	Perdue.
Durham.	Pinkston.
Edwards.	Potter.
Fields.	Purl.
Green.	Quinn.
Hardin of Erath.	Rice.
Harrington.	Robinson.
Harris.	Rogers.
Henderson	Rountree.
of Marion.	Russell
Henderson	of Callahan.
of McLennan.	Russell of Trinity.
Hendricks.	Sackett.
Houston.	Satterwhite.
Hughes.	Shearer.
Irwin.	Shires.
Jacks.	Simpson.
Jennings.	Stell.
Kemble.	Stevens.
Lackey.	Stewart of Jasper.
Laird.	Stewart of Reeves.
Lamb.	Stiernberg.
Lane.	Storey.
LeSturgeon.	Stroder.
Lewis.	Teer.
Loftin.	Thompson.
Looney.	Thrasher.
McBride.	Turner.
McDaniel.	Westbrook.
McDonald.	Wilmans.
McFarlane.	Wilson.
McKean.	Winfree.
McNatt.	

Absent.

Blount.	Melson.
Chitwood.	Montgomery.
Coffee.	Pool.
Cowen.	Pope.
Davenport.	Price.
Dunlap.	Quaid.
Faubion.	Smith.
Fugler.	Stewart
Hull.	of Edwards.
Johnson.	Vaughan.
Mathes.	Wessels.

Absent—Excused.

Bobbitt.	Patman.
Cable.	Rowland.
Frnka.	Strickland.
Greer.	Sweet.
Lusk.	Williamson.
Merriman.	

Question—Shall the resolution be passed?

The Clerk was directed to call the roll, and the resolution was passed by the following vote:

Yeas—102.

Amsler.	McDonald.
Arnold.	McFarlane.
Baker of Milam.	McKean.
Baker of Orange.	McNatt.
Baldwin.	Martin.
Barrett.	Mathes.
Beasley.	Miller.
Bell.	Montgomery.
Blount.	Moore.
Bonham.	Morgan
Brady.	of Liberty.
Burmeister.	Morgan
Carpenter	of Robertson.
of Dallas.	Pate.
Carpenter	Patterson.
of Matagorda.	Perdue.
Carson.	Pinkston.
Carter of Coke.	Pool.
Carter of Hays.	Pope.
Covey.	Potter.
Crawford.	Purl.
Culp.	Quaid.
Davis.	Quinn.
DeBerry.	Robinson.
Dielmann.	Rogers.
Dinkle.	Rountree.
Downs.	Russell
Driggers.	of Callahan.
Duffey.	Russell of Trinity.
Dunlap.	Sackett.
Dunn.	Sanford.
Durham.	Satterwhite.
Edwards.	Shearer.
Green.	Shires.
Hardin of Erath.	Simpson.
Harrington.	Smith.
Harris.	Sparkman.
Henderson	Stell.
of Marion.	Stevens.
Hendricks.	Stewart
Houston.	of Edwards.
Hughes.	Stewart of Jasper.
Jacks.	Stewart of Reeves.
Jennings.	Stiernberg.
Kemble.	Storey.
Lackey.	Stroder.
Laird.	Teer.
Lamb.	Thompson.
Lane.	Thrasher.
LeMaster.	Turner.
LeStourgeon.	Vaughan.
Lewis.	Wells.
Loftin.	Wilmans.
McBride.	Wilson.
McDaniel.	Winfree.

Nays—23.

Abney.	Bird.
Atkinson.	Bryant.
Avis.	Collins.
Barker.	Dodd.

Faubion.	Jones.
Fields.	Looney.
Finlay.	Maxwell.
Gipson.	Merritt.
Hardin	Rice.
of Kaufman.	Wallace.
Howeth.	Westbrook.
Henderson	Wessels.
of McLennan.	

Present—Not Voting.

Young.

Absent.

Chitwood.	Irwin.
Coffee.	Johnson.
Cowen.	Melson.
Davenport.	Price.
Fugler.	Williamson.
Hull.	

Absent—Excused.

Bobbitt.	Merriman.
Cable.	Patman.
Frnka.	Rowland.
Greer.	Strickland.
Lusk.	Sweet.

HOUSE JOINT RESOLUTION NO. 26
ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. J. R. No. 26, Proposing an amendment to the Constitution so as to provide for uniformity and equalization in taxable values for State purposes through a central State board.

The resolution was read second time, and was passed to engrossment by the following vote:

Yeas—88.

Arnold.	Covey.
Atkinson.	Crawford.
Avis.	DeBerry.
Baker of Milam.	Dielmann.
Baker of Orange.	Dinkle.
Baldwin.	Duffey.
Barker.	Dunn.
Barrett.	Durham.
Bell.	Edwards.
Bonham.	Faubion.
Brady.	Finlay.
Bryant.	Gipson.
Carpenter	Green.
of Dallas.	Hardin of Erath.
Carpenter	Harrington.
of Matagorda.	Henderson
Carson.	of Marion.
Carter of Coke.	Henderson
Carter of Hays.	of McLennan.

Hendricks.	Rice.
Houston.	Robinson.
Irwin.	Rountree.
Jennings.	Russell
Jones.	of Callahan.
Kemble.	Russell of Trinity.
Lackey.	Sackett.
Lamb.	Sanford.
Lane.	Satterwhite.
LeMaster.	Shearer.
LeSturgeon.	Simpson.
Loftin.	Smith.
McDonald.	Sparkman.
McFarlane.	Stell.
McKean.	Stevens.
McNatt.	Stewart
Mathes.	of Edwards.
Montgomery.	Stewart of Reeves.
Moore.	Storey.
Morgan	Stroder.
of Robertson.	Thrasher.
Pate.	Turner.
Patterson.	Vaughan.
Pinkston.	Wells.
Pool.	Williamson.
Potter.	Wilmans.
Purl.	Wilson.
Quaid.	Winfree.
Quinn.	Young.

Nays—33.

Abney.	Lewis.
Amsler.	Looney.
Beasley.	McBride.
Blount.	McDaniel.
Burmeister.	Maxwell.
Collins.	Miller.
Culp.	Morgan
Davis.	of Liberty.
Dodd.	Perdue.
Downs.	Pope.
Dunlap.	Shires.
Hardin	Stewart of Jasper.
of Kaufman.	Stiernberg.
Harris.	Thompson.
Howeth.	Wallace.
Hughes.	Westbrook.
Jacks.	Wessels.
Laird.	

Present—Not Voting.

Bird.	Martin.
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Absent.

Chitwood.	Hull.
Coffee.	Johnson.
Cowen.	Melson.
Davenport.	Merritt.
Driggers.	Price.
Fields.	Rogers.
Fugler.	Teer.

Absent—Excused.

Bobbitt.	Frnka.
Cable.	Greer.

Lusk.	Rowland.
Merriman.	Strickland.
Patman.	Sweet.

HOUSE JOINT RESOLUTION NO. 26
ON THIRD READING.

Mr. Satterwhite moved that the constitutional rule requiring resolutions to be read on three several days be suspended, and that House joint resolution No. 26 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—107.

Abney.	Houston.
Arnold.	Hughes.
Atkinson.	Hull.
Avis.	Irwin.
Baker of Milam.	Jacks.
Baker of Orange.	Jennings.
Baldwin.	Jones.
Barker.	Kemble.
Barrett.	Lackey.
Beasley.	Lamb.
Bell.	Lane.
Bonham.	LeMaster.
Brady.	LeSturgeon.
Bryant.	Loftin.
Carpenter	McDaniel.
of Dallas.	McDonald.
Carpenter	McFarlane.
of Matagorda.	McKean.
Carson.	McNatt.
Carter of Coke.	Martin.
Carter of Hays.	Mathes.
Covey.	Maxwell.
Crawford.	Montgomery.
Culp.	Moore.
Davis.	Morgan
DeBerry.	of Robertson.
Dielmann.	Pate.
Dinkle.	Patterson.
Driggers.	Perdue.
Duffey.	Pinkston.
Dunlap.	Pool.
Dunn.	Potter.
Durham.	Purl.
Edwards.	Quaid.
Faubion.	Quinn.
Fields.	Rice.
Finlay.	Robinson.
Fugler.	Rogers.
Gipson.	Rountree.
Hardin of Erath.	Russell
Hardin	of Callahan.
of Kaufman.	Russell of Trinity.
Harrington.	Sackett.
Harris.	Sanford.
Henderson	Satterwhite.
of Marion.	Shearer.
Henderson	Shires.
of McLennan.	Simpson.
Hendricks.	Sparkman.

Stevens.	Turner.
Stewart	Vaughan.
of Edwards.	Wells.
Stewart of Reeves.	Westbrook.
Storey.	Wilmans.
Stroder.	Wilson.
Teer.	Winfree.
Thompson.	Young.
Thrasher.	

Nays—22.

Amsler.	McBride.
Bird.	Merritt.
Blount.	Miller.
Burmeister.	Morgan
Collins.	of Liberty.
Dodd.	Pope.
Downs.	Stell.
Green.	Stewart of Jasper.
Howeth.	Stiernberg.
Laird.	Wallace.
Lewis.	Wessels.
Looney.	

Absent.

Chitwood.	Johnson.
Coffee.	Melson.
Cowen.	Price.
Davenport.	Smith.

Absent—Excused.

Bobbitt.	Patman.
Cable.	Rowland.
Frnka.	Strickland.
Greer.	Sweet.
Lusk.	Williamson.
Merriman.	

The Speaker then laid House joint resolution No. 26 before the House on its third reading and final passage.

The resolution was read third time, and was passed by the following vote:

Yeas—101.

Mr. Speaker.	Coffee.
Arnold.	Covey.
Atkinson.	Cowen.
Avis.	Crawford.
Baker of Milam.	Davis.
Baker of Orange.	DeBerry.
Baldwin.	Dielmann.
Barker.	Dinkle.
Barrett.	Dodd.
Bell.	Driggers.
Bonham.	Duffey.
Brady.	Dunn.
Bryant.	Durham.
Carpenter	Edwards.
of Dallas.	Faubion.
Carpenter	Finlay.
of Matagorda.	Gipson.
Carson.	Green.
Carter of Coke.	Hardin of Erath.
Carter of Hays.	Harrington.

Henderson	Potter.
of Marion.	Purl.
Henderson	Quaid.
of McLennan.	Quinn.
Hendricks.	Rice.
Houston.	Robinson.
Hull.	Rogers.
Irwin.	Rountree.
Jacks.	Russell
Jennings.	of Callahan.
Jones.	Russell of Trinity.
Kemble.	Sackett.
Lackey.	Sanford.
Lamb.	Satterwhite.
Lane.	Shearer.
LeMaster.	Shires.
LeSturgeon.	Smith.
Lewis.	Sparkman.
Loftin.	Stevens.
McDonald.	Stewart
McFarlane.	of Edwards.
McKean.	Stewart of Reeves.
McNatt.	Storey.
Martin.	Stroder.
Mathes.	Teer.
Maxwell.	Thompson.
Montgomery.	Thrasher.
Moore.	Turner.
Morgan	Vaughan.
of Robertson.	Wells.
Pate.	Wilmans.
Patterson.	Wilson.
Pinkston.	Winfree.
Pool.	Young.

Nays—31.

Abney.	McBride.
Amsler.	McDaniel.
Beasley.	Melson.
Blount.	Merritt.
Burmeister.	Miller.
Collins.	Morgan
Culp.	of Liberty.
Downs.	Perdue.
Dunlap.	Pope.
Fields.	Simpson.
Fugler.	Stell.
Harris.	Stewart of Jasper.
Howeth.	Stiernberg.
Hughes.	Wallace.
Laird.	Westbrook.
Looney.	Wessels.

Present—Not Voting.

Bird.

Absent.

Chitwood.	Johnson.
Davenport.	Price.
Hardin	Williamson.
of Kaufman.	

Absent—Excused.

Bobbitt.	Frnka.
Cable.	Greer.

Lusk.
Merriman.
Patman.

Rowland.
Strickland.
Sweet.

Mr. Satterwhite moved to reconsider the vote by which the resolution was passed and to table the motion to reconsider.

The motion to table prevailed.

HOUSE JOINT RESOLUTION NO. 27 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. J. R. No. 27, Proposing an amendment to Article 8 of the State Constitution providing for the exemption of canning factories engaged in canning products grown in the State of Texas from taxation for a period of ten years.

The resolution was read second time.

On motion of Mr. Lewis, the resolution was laid on the table subject to call.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Sackett, Senate bill No. 155 was ordered not printed.

On motion of Mr. Blount, Senate bill No. 104 was ordered not printed.

SENATE BILLS ON FIRST READING.

The following Senate bills were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 201, to the Judiciary Committee.

Senate bill No. 344, to the Committee on Public Lands and Buildings.

Senate bill No. 362, to the Committee on School Districts.

Senate bill No. 364, to the Committee on Roads, Bridges and Ferries.

Senate bill No. 423, to the Committee on School Districts.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. McKean:

H. B. No. 685, A bill to be entitled "An Act amending Chapter 64 of the General Laws of the Thirty-fourth Legislature, passed at its Regular Session, fixing the time for holding court in the

Twenty-second Judicial District, and changing the time for holding the district courts in Austin, Hays and Caldwell counties, and providing an extra term of court each year for the counties of Hays and Caldwell; to repeal all laws in conflict herewith, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Pate:

H. B. No. 686, A bill to be entitled "An Act amending Chapter 19, Local and Special Laws of the First Called Session of the Thirty-seventh Legislature of the State of Texas, creating the Canton Independent School District in Van Zandt county, Texas; defining its boundaries; providing for an extension thereof, including the present Canton Independent School District; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the board of trustees thereof; providing that the present board of trustees continue in office until the expiration of their respective terms; providing that the outstanding bonded indebtedness of each school district included within the bounds of said district shall remain chargeable against the territory which voted the same; providing that the district as herein created may assume such outstanding bonded indebtedness; providing for the repeal of all laws in conflict herewith, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Teer:

H. B. No. 687, A bill to be entitled "An Act to establish the Round Rock Independent School District in Williamson county, Texas; conferring all of the privileges now conferred upon independent school districts incorporated for schools purposes only; providing for the assumption of bonded indebtedness now owed by the included territory; providing for the assumption of bonds formerly issued by the Round Rock Independent School District, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. McDaniel:

H. B. No. 688, A bill to be entitled

"An Act to create a more efficient road system for Mills county, Texas, and making the commissioners of said county ex-officio road commissioners in their respective precincts, and providing for the appointment of deputies; defining the powers and duties of the commissioners court with reference to roads and bridges; providing for the appointment of road overseers, and defining their duties, and providing for and fixing their compensation for certain labor; providing penalties for the violation of this act; giving persons subject to road duty in Mills county and persons summoned to work on the public roads of said county the right to be relieved from the discharge of such duty upon the payment of such sum as may be fixed by the commissioners court not later than the October term of said court in each year, by an order spread on the minutes of said court, and providing for the accounting for and the disposition to be made of the money so paid; providing that delinquent poll tax payers shall be subject to three days' road duty; providing for compensation of road commissioners; providing for the amount of compensation in road time to be allowed by overseers to road hands for teams and road work; providing, ordering an election to be held in Mills county by the qualified property tax paying voters to determine whether or not an additional ad valorem tax for road and bridge purposes shall be levied and collected in said county; also giving the commissioners court power to issue time warrants in an emergency not to exceed in any one year the sum of fifteen hundred (\$1500) dollars against road and bridge fund in said county, giving the commissioners court the power to establish, change, improve or discontinue public roads with or without petition and notice, as the circumstances may be; and providing that this act shall control Mills county in all cases wherein it differs or is in conflict with the general laws on the subject of roads and making this accumulative, and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 6, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to

inform the House that the Senate has granted the request of the House to return Senate bill No. 136 to the House for correction and hereby return same.

Respectfully,

RICHARD BLALOCK,
Assistant Secretary of the Senate.

BILL ORDERED NOT PRINTED.

On motion of Mr. Green, House bill No. 682 was ordered not printed.

HOUSE BILL NO. 232 ON SECOND READING.

On motion of Mr. Baker of Milam, by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 232, A bill to be entitled "An Act to amend Chapter 141, Acts of the Regular Session of the Thirty-fifth Legislature, so as to prohibit commissioners courts and supervisors of levee improvement districts from letting any contract calling for or requiring the expenditure of two thousand dollars (\$2000) or more without first submitting same to competitive bids and publishing notice of the proposed letting of such contract; providing that such requirement may be waived in case of public calamity; requiring all contracts for more than five hundred dollars (\$500) and less than two thousand dollars (\$2000) to be let on competitive bids; providing that contracts made in violation of this act shall not be enforced and may be enjoined, and declaring an emergency."

The Speaker laid the bill before the House; it was read second time and was passed to engrossment.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 6, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 423, A bill to be entitled "An Act amending Chapter 19, Local and Special Laws of the First Called Session of the Thirty-seventh Legislature of the State of Texas, creating the Canton Independent School District in Van Zandt county, Texas; defining its boundaries; providing for an extension thereof, including the present Canton Inde-

pendent School District; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the boards of trustees thereof; providing that the present board of trustees continue in office until the expiration of their respective terms; providing that the outstanding bonded indebtedness of each school district included within the bounds of said district shall remain chargeable against the territory which voted the same; providing that the district as herein created may assume such outstanding bonded indebtedness; providing for the repeal of all laws in conflict herewith, and declaring an emergency."

And the Senate requests the House to return House bill No. 151 to the Senate for further consideration.

Respectfully,

RICHARD BLALOCK,

Assistant Secretary of the Senate.

REQUEST OF SENATE GRANTED.

On motion of Mr. Wallace, the request of the Senate that House bill No. 151 be returned for further consideration was granted.

ADJOURNMENT.

Mr. Dodd moved that the House adjourn until 9 o'clock a. m. tomorrow.

Mr. Robinson moved that the House recess to 7:30 o'clock p. m. today.

Mr. Jones moved that the House adjourn until 11 o'clock a. m. tomorrow.

Mr. Smith moved that the House recess to 9 o'clock a. m. tomorrow.

The motion of Mr. Dodd prevailed, and the House, accordingly, at 5:50 o'clock p. m., adjourned until 9 o'clock p. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills as follows:

Appropriations—House bills Nos. 412, 286, 653, 34.

Insurance—Senate bill No. 191.

Criminal Jurisprudence—Senate bills Nos. 324, 8, 219, 288, 21.

State Affairs—Senate bills Nos. 275, 357, 234.

Oil, Gas and Mines—House bill No. 557.

Game and Fisheries—House bills Nos. 379, 207.

Roads, Bridges and Ferries—Senate bill No. 268.

Judiciary—House bill No. 680; Senate bills Nos. 261, 273, 300.

Municipal and Private Corporations—Senate bill No. 252.

Public Lands and Buildings—House bills Nos. 594, 672; Senate bills Nos. 193, 396.

School Districts—Senate bills Nos. 402, 647, 411.

Education—Senate bills Nos. 341, 249, 248, 246, 251, 247.

The following committees have filed unfavorable reports on bills as follows:

Appropriations—House bills Nos. 418, 667.

Liquor Traffic—Senate bill No. 240.

State Affairs—House bill Nos. 568, 614.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, March 6, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 538, A bill to be entitled "An Act amending Section 1 of Chapter 46, Acts of the Third Called Session of the Thirty-sixth Legislature, fixing the fees to be paid to the State and the State Board of Water Engineers upon the filing of applications for permits for the storage, diversion and use of water, fixing maximum fees at the sum of fifteen hundred dollars, and declaring an emergency,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,

Austin, Texas, March 6, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 196, A bill to be entitled "An Act to amend Chapter 1 of Title 29 of the Revised Civil Statutes of 1911, by adding thereto Articles 1459a, 1459b, 1459c and 1459d, providing for the em-

ployment by commissioners courts in counties not having a county auditor of an accountant to audit the books, records and files of the county, and the reports, books, records and files of all officers, agents, agencies, pertaining to all financial transactions and matters with respect to which the commissioners court is charged with any duty; providing for a report of such audits and for their compensation therefor."

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, March 6, 1922.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 590, A bill to be entitled "An Act to amend Article 6002, Title 87, Revised Statutes of Texas, 1911, providing for the appointment of notaries public, and declaring an emergency,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, March 6, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 34, A bill to be entitled "An Act making an appropriation of three hundred thousand (\$300,000) dollars to build and equip an administration building at the North Texas State Normal College, Denton, Texas, and declaring an emergency,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, March 6, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 437, A bill to be entitled "An Act to amend Section 12 of Chapter 190, Acts of the Regular Session of the Thirty-fifth Legislature, as amended by Section 1 of Chapter 71 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, which section relates to the allotment of highway funds in road construction, so to

provide for authority to increase the allotment of such funds to aid in the construction of highways in the different counties, and to use said funds for maintenance purposes under certain conditions, and declaring an emergency,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, March 6, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 544, A bill to be entitled "An Act providing for the sale of land bought by the State under and by virtue of foreclosure of trust deeds, and declaring an emergency,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, March 6, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 440, A bill to be entitled "An Act to amend Chapter 88 of the General Laws of the Thirty-fifth Legislature, Regular Session, approved March 9, 1917, by amending Section 87 of said act, and also limiting the contract lien upon crops irrigated, and prescribing method of determining costs or irrigation facilities to be charged users of water in the State of Texas; repealing all laws in conflict herewith, and declaring an emergency,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, March 6, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 8, A bill to be entitled "An Act to amend Section 1 of Chapter 86 of the Regular Session of the Thirty-sixth Legislature, amending Section 2 of House bill No. 25 passed by the Thirty-third Legislature at the Regular Session and approved April 7, 1913, relating to prorating the appropriation for Confederate pensions among the

pensioners; to provide that women who were wives of Confederate soldiers or sailors and who after the death of such soldiers or sailors have remarried, but who have been separated from or abandoned by their husbands and living apart from them for a period of three years next prior to her application for a pension, and who are in indigent circumstances, may be eligible to the grant of a pension, and declaring an emergency,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, March 6, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. J. R. No. 16, Proposing an amendment to Article 8 of the Constitution of the State of Texas, which relates to taxation and revenues, by adding thereto a new section to be known as Section 9a, directing the Legislature to provide for the construction operation and maintenance, under State control, of a system of public highways; authorizing the Legislature to provide for the issuance of bonds of the State or other form of indebtedness for the construction of a State system of public highways, and to provide for the payment of said bonds; providing for an election for the ratification of the amendment herein proposed, and making an appropriation to defray the expenses of said election,

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, March 6, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 611; A bill to be entitled "An Act to amend Article 927, Title 22, Chapter 6, Revised Civil Statutes of 1911, so as to provide that the city council of any city or town shall have power to levy and collect an annual poll tax not to exceed one dollar of every inhabitant of said city over the age of twenty-one years (idiots and lunatics excepted) who is a resident thereof at

the time of such annual assessment, and declaring an emergency,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, March 6, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 142, A bill to be entitled "An Act to appropriate the sum of one hundred thousand dollars, or as much thereof as may be necessary out of the revenues of the State, for the erection of an administration building for the extension service of the Agricultural and Mechanical College of Texas, and the sum of fifteen thousand dollars out of the general revenues of the State for the repair and remodeling of Gathright Hall, and declaring an emergency,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, March 6, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 433, A bill to be entitled "An Act making it a misdemeanor, punishable by fine of not less than \$25 nor more than \$100, for any person to kill in any manner any wild male or female deer in the counties of San Augustine, Sabine, Newton and Jasper at any time within five years from the date on which this act goes into effect,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, March 6, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 97, A bill to be entitled "An Act prohibiting the teaching of evolution in any of its phases in the public schools or any of our higher educational institutions in the State of Texas, supported in whole or in part by taxation; and prohibiting the members of the State Text Book Commission from adopting or recommending any

text book which teaches the theory of evolution, either directly or indirectly, and for other purposes,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, March 6, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 274, A bill to be entitled "An Act to amend Sections 2 and 3 of Chapter 190 of the Acts of 1917, and adding Section 3a, increasing the term of office for the members of the Board of Highway Commission from two to six years, so that one term of office will expire each two years, and providing compensation of \$2500 per year for members of said commission,"

And find the same correctly engrossed
DINKLE, Chairman.

Committee Room,
Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 417, A bill to be entitled "An Act to authorize the commissioners courts of the various counties of the State of Texas to employ one or more nurses for the purpose of assisting in the promotion of public health and visiting and inspecting the pupils of the public schools, and to appropriate public funds in payment thereof,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, March 6, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 413, A bill to be entitled "An Act to appropriate out of the general revenue, not heretofore appropriated, the sum of \$7500, or so much thereof as may be necessary for the remainder of the fiscal year ending August 31, 1923, and the further sum of \$10,000, or so much thereof as may be necessary, for the fiscal year ending August 31, 1924, to defray the expenses of the de-

partment of the State Health Officer of the State of Texas in intensive mosquito control work leading to the prevention and eradication of malaria and dengue fever and prevention of yellow fever in the State of Texas; also authorizing the State Health Officer to accept donations from any sources to supplement such fund or funds, and declaring an emergency,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 543, A bill to be entitled "An Act creating the office of public weigher in all counties in Texas having a population of not less than 25,600, and not more than 25,700, according to the census of the United States taken in 1920, and prescribing the qualifications for such office and the powers and duties thereof,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 378, A bill to be entitled "An Act appointing and designating Mrs. M. E. Wheeler as assistant guide in charge of paintings, providing for her salary, making an appropriation, and declaring an emergency,"

And find the same correctly engrossed
DINKLE, Chairman.

Committee Room,
Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 116, A bill to be entitled "An Act to amend Chapter 1, Title 119 of the Revised Civil Statutes of Texas, as amended by Chapter 29 of the Acts of the Fourth Called Session of the Thirty-fifth Legislature, and by Chapter 98 of the General Laws of the Regular Ses-

sion of the Thirty-sixth Legislature, fixing the compensation of county commissioners by adding thereto Article 6901dd, fixing the compensation of county commissioners in all counties subject to the provisions of Chapter 42 of the General Laws of the First Called Session of the Thirty-seventh Legislature, and having a population of less than 50,000, and having a county auditor, and providing that this act shall not go into effect until the first day of January, 1925,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 149, A bill to be entitled "An Act amending Sections 6 and 12 of an act passed at the Regular Session of the Thirty-sixth Legislature, entitled 'An Act relating to the protection of wild game, birds, etc., and requiring a license for the purpose of hunting,' being House bill No. 457, Chapter 157 of the Regular Session Laws, and to repeal all laws in conflict, and declaring an emergency,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 503, A bill to be entitled "An Act for the protection of those who have filed pre-emption of homestead donation claims on school section 2, S. P. Ry. Co., Certificate 16-58, in Jack county, Texas, by authorizing the original pre-emptors or their assignees in good faith and for value to purchase, and the Commissioner of the General Land Office to sell to them such portions as they own in good faith and for value under said pre-emption or homestead claim at fifty (50) cents per acre, after they have filed field notes in the General Land Office and have met such requirements as the law imposes on the owners of homestead or pre-emption claims and purchasers of school lands desiring

patents therefor, and declaring an emergency,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 90, A bill to be entitled "An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1892, and which have failed or are about to fail, to construct their roads and branches, or any part thereof, within the time required by law, and declaring an emergency,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 533, A bill to be entitled "An Act prescribing the method of the county tax collector making remittances to the State Treasurer or to any other State officer, board, commission or employe of the State, and inhibiting the payment of exchange on any such remittances; providing that liability shall not cease until actual receipt of money, and declaring an emergency,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 657, A bill to be entitled "An Act to amend Chapter 92 of the Special Laws of the Regular Session of the Thirty-sixth Legislature, known as an act to create a more efficient road system for Angelina County, by reenacting Section 8 and adding thereto a new section to be known as Section 8a, and declaring an emergency,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills have carefully examined and compared

H. B. No. 604, A bill to be entitled
"An Act prescribing certain rules of
briefing in the courts of civil appeals
of the State of Texas; further providing
that all rules heretofore or hereafter
promulgated by the Supreme Court for
the courts of civil appeals, except such
as may be in conflict with the pro-
visions of this act, shall be binding on
said courts, and declaring an emer-
gency,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills have carefully examined and compared

H. B. No. 633, A bill to be entitled
"An Act making it an offense for any
person to kill, take or have in his pos-
session wild quail within the period of
five years from the passage of this act
in the counties of Medina, Uvalde,
Zavala, Dimmit, Kinney or Val Verde;
prescribing penalties for the violation of
this act, and declaring an emergency,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills have carefully examined and compared

H. B. No. 670, A bill to be entitled
"An Act making provision whereby ses-
sions of the County Court at Law No. 2
may be held at Goose Creek for the con-
venience of the people in Justice Pre-
cinct No. 3 in Harris County; vesting in
the County Court at Law No. 2 of Har-
ris County exclusive jurisdiction within
the territory now comprising Justice
Precinct No. 3 of said county as to mat-
ters and things of which said court now
has jurisdiction within the county; pro-
viding for the sessions of said County
Court at Law No. 2 in the town of
Goose Creek for at least ten days of each

month in said territory, and fixing the
date during each month on which said
sessions shall begin; making it the duty
of the commissioners court of Harris
county to provide a suitable place for
holding said sessions; conforming the
jurisdiction of other inferior courts to
the change herein made; providing for
the necessary clerks and officers; mak-
ing the necessary provisions incident to
the purpose and subject of the act; pro-
viding for the transfer of cases and
proceedings, and declaring an emer-
gency,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills have carefully examined and compared

H. B. No. 118, A bill to be entitled
"An Act amending Chapter 4, Title 12,
of the Penal Code of the State of Texas,
so as to properly define 'concentrated
feeding stuff,' 'concentrated feed stuff,'
and 'concentrated commercial feeding
stuff'; amending Article 735 of said
chapter, making it refer to Article 732
instead of Article 731, and reducing the
penalty; making said chapter apply to
firms, corporations, associations of per-
sons, manufacturers, importers, agents,
sellers and common law trust companies
or associations as well as persons;
amending Article 740, omitting the jail
penalty; providing a penalty for viola-
tions of said chapter where a penalty is
not otherwise provided, and declaring an
emergency,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills have carefully examined and compared

H. B. No. 184, A bill to be entitled
"An Act amending subdivision (1) of
Section 1 of an act authorizing and
empowering certain municipalities of
this State to fix and prescribe the
annual salaries or compensation of their
city or corporation judge, city attorney,
and city auditor, at not exceeding a
maximum prescribed sum, fixing the
maximum amount thereof, and declaring

an emergency, being House bill No. 101, Chapter 21 of the General Laws of Texas, approved June 17, 1920, and effective June 17, 1921, and declaring an emergency,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 283, A bill to be entitled "An Act to amend Article 3965 of the Revised Statutes of 1911, relating to written memorandum to maintain certain actions, and declaring an emergency,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 424, A bill to be entitled "An Act amending the statutes relative to elections, primary elections and nominating conventions; amending Article 3093, Revised Civil Statutes, as amended, relative to primary elections and nominating conventions, so as to better provide for voting and participating in primary elections; amending Article 2956, Revised Civil Statutes, so as to safeguard the issuance and use of poll tax receipts; amending Article 2939, Revised Civil Statutes, as amended, so as to prevent fraud and irregularity under the absentee voting law in primary elections; amending Article 3084, Revised Civil Statutes, so as to require all political parties casting ten thousand votes or more at the last general election to nominate candidates for office by primary election; making it unnecessary for judges, clerks or supervisors to reside in the precinct; restricting the use of injunctions in preventing performance of duty under the laws relative to elections, primary elections and nominations of candidates; requiring the Secretary of State to certify certain nominations; amending Article 3129, Revised Civil Statutes, so as to require the preservation of ballot boxes and investigating the ballots; prescribing an oath for

executive committeemen and judges, clerks and supervisors in primary elections in order to assure affiliation with the political party for which said committeemen or officers act, and declaring an emergency,"

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 469, A bill to be entitled "An Act to amend Section 70 of Chapter 87, of the Acts of the Regular Session of the Thirty-fifth Legislature of Texas, by providing for amortization and an emergency fund for water improvement and irrigation districts, and directing the purpose for which said fund shall be expended, and providing for its investment, and to amend Section 95 of said Chapter 87 by providing the method and manner of making and collecting water assessments, and declaring an emergency,"

And find the same correctly engrossed.
DINKLE, Chairman.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

Committee Room,
Austin, Texas, March 6, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 28, Relating to fund of University of Texas for permanent buildings,

Have carefully compared same and find it correctly enrolled, and have this day, at 3:10 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,
Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 29, "An Act to amend Article 2, Title 1, of the the Revised Civil Statutes of the State of Texas, 1911, relating to the adoption of heirs, so as to permit the adoption of minors only as legal heirs, and defining and

designating the rights, privileges and inheritances of heirs by adoption, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 3:10 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,

Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 33, "An Act requiring the labeling of all cloth, fabric, garments or articles of apparel sold or offered for sale in this State which contain wool or purport to contain wool, and samples containing or purporting to contain wool displayed in this State in soliciting orders, and providing for punishment for violation of this act,"

Have carefully compared same and find it correctly enrolled, and have this day, at 3:10 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,

Austin, Texas, March 3, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 47, "An Act to amend Sections 1 and 15 of Chapter 81 of the General Laws of the State of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature, approved April 3, 1918, creating the Commission of Appeals of the State of Texas, as amended by Chapter 34 of the General Laws of the State of Texas, passed by the Second Called Session of the Thirty-sixth Legislature, approved July 25, 1919, as amended by Chapter 119 of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-seventh Legislature, approved March 31, 1921, extending the term of said commission to the last Saturday in June, 1923, and providing for the appointment of judges for said extended term; providing for the extension of the term of said commission from the last Saturday in June, 1923, until the last Saturday in June, 1925; for the appointment of judges for said extended term; providing for the qualifications thereof and fixing the same, and providing and fixing the salaries of the same and the manner

of payment thereof, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 3:10 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,

Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 93, "An Act to make appropriation to pay off that certain note executed by the Prison Commission to Bassett Blakely for the purchase of certain mules, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 3:10 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,

Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 279, "An Act to amend Article 2771, Revised Statutes, 1911, as amended by Thirty-fifth Legislature, Chapter 160, reducing the amount of bond required of depositories of independent districts,"

Have carefully compared same and find it correctly enrolled, and have this day, at 3:10 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,

Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 410, "An Act requiring the erection of adequate fire escapes on certain classes of three or more story buildings now or hereafter constructed in this State, and making it the duty of the owners of such buildings and the duty of all boards, commissions, boards of trustees of public schools, county commissioners courts, city councils, boards of city commissioners, and all officials having charge or supervision of public buildings within the provisions

of this act and owned by this State or by any county, city, town or school district to provide such buildings with adequate fire escapes; defining the terms 'owner,' 'story' and 'adequate fire escape,' and fixing minimum specifications for adequate fire escapes and requiring the maintenance of exit and guide lights and signs for fire escapes, and making it an offense to obstruct the free access to any fire escape; fixing the time within which such buildings shall be equipped with fire escapes and exempting from this act certain buildings already equipped with fire escapes meeting certain requirements; fixing penalties for violation of any provision of this act by owners of buildings, and making it an offense for any person as agent to represent a non-resident owner of any building within the provisions of this act who fails to comply with this act and fixing penalty therefor; providing that the State Fire Marshal shall have general supervision of the enforcement of this act, and making it his duty and the duty of certain other officials to give notice of the provisions of this act and file complaints for violation of its provisions, and authorizing private persons to file such complaints, and making it the duty of county attorneys and district attorneys under certain conditions to prosecute such complaints; providing that the Attorney General and county and district attorneys may proceed by suit or injunction to enforce the provisions of this act, and permitting such suits to be prosecuted on the relation of said officials or of the State Fire Marshal or any inspector of the State Fire Commission, or the chief of any fire department of the fire marshal of any city or town, or of any private person, and authorizing district courts and judges thereof to issue mandatory injunctions and other writs to enforce the provisions of this act; providing that if any section, paragraph or provision of this act be held unconstitutional, that such holding shall not affect the remaining sections, paragraphs or provisions hereof; repealing Chapter 70 of the Acts of the Regular Session of the Thirtieth Legislature, passed and approved April 6, 1907, and Chapter 12 of the Acts of the Regular Session of the Thirty-fourth Legislature, passed and approved February 16, 1915, and Chapter 140 of the Acts of the Regular Session

of the Thirty-fifth Legislature, passed and approved March 30, 1917, all relating to fire escapes, and also repealing Articles 861 to 867, inclusive, of the Penal Code of the Revised Criminal Statutes of 1911, and all laws and parts of laws in conflict with this act, and declaring an emergency."

Have carefully compared same and find it correctly enrolled, and have this day, at 3:10 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,
Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 419, "An Act to amend Article 7017, Revised Civil Statutes, 1911, conferring authority upon the commissioners courts of two or more counties to join in the construction of bridges and pay for the same out of the funds of the respective counties, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 3:10 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,
Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 507, "An Act creating the Simmons Independent School District in Live Oak county, Texas; defining its boundaries; providing for a board of trustees; vesting title to all school property within the said school district in the trustees and their successors; charging said district with all indebtedness and the performance of all contracts of the school included within the district; providing that the board of trustees heretofore elected and now serving the Simmons Common School District No. 2, as now existing, shall continue in office for the district hereby created until the expiration of their term and their successors shall have been elected and qualified; authorizing the trustees to exercise all the rights and powers conferred by general laws upon trustees of independent school dis-

tricts created for school purposes under the general laws; validating and continuing in force the local maintenance taxes heretofore voted by the voters in the territory included within the district hereby created by a uniform tax upon the whole district, increase or diminish the same, or until they abolish such taxes in accordance with the general statutes; providing that if any part of this act is held ineffective or unconstitutional, the remaining part of this act shall not be invalidated; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 3:10 o'clock p. m., presented same to the Governor for his approval
HENDRICKS, Chairman.

Committee Room,

Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 476, "An Act repealing Chapter 30 of the General Laws of the Regular Session of the Thirty-seventh Legislature, which chapter relates to the jurisdiction of the county court of Edwards county, and which vested in the county court of said county civil and criminal jurisdiction as provided by general law for county courts; and reviving any and all laws which stand repealed by reason of said Chapter 30, General Laws, Regular Session, Thirty-seventh Legislature, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 3:10 o'clock p. m., presented same to the Governor for his approval.
HENDRICKS, Chairman.

Committee Room,

Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 508, "An Act to amend Section 3 of an act creating the Poteet Independent School District in Atascosa county, Texas, being Chapter 23 of the Acts of the Thirty-third Legislature, Regular Session; providing for the management and control of the public free schools within said district, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 3:10 o'clock p. m., presented same to the Governor for his approval.
HENDRICKS, Chairman

Committee Room,

Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 494, "An Act creating a special road law for Fayette county, providing for a systematic method of road maintenance in harmony with the Davidson-Perkins Patrol Act, adapting the patrol system to the special wants of the county; providing for a budget system for the road and bridge fund of the county; authorizing and directing the commissioners court to employ a practical road superintendent when, in their judgment, his services are necessary, and in the absence of such road superintendent making the commissioners each ex-officio road superintendent of his respective commissioner's precinct, prescribing the duties and liabilities of all persons subject to road duty; fixing penalties for the violation or neglect of such duty so imposed; providing that the act shall be cumulative to existing laws where not in conflict therewith; providing for power and procedure for the protection of roads and highways against unusually heavy traffic, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 3:10 o'clock p. m., presented same to the Governor for his approval.
HENDRICKS, Chairman.

Committee Room,

Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 487, "An Act defining and regulating the practice of chiropody in the State of Texas; providing for the examination and registration of persons desiring to practice chiropody and the issuance of license therefor; providing for the creation of the State Board of Chiropody Examiners; prescribing fees that may be charged for registration; making it unlawful for any person not licensed under the law of this act to

practice chiropody; providing for the registration of persons who have been engaged in the practice of chiropody in other States; for the revocation of licences granted by the State Board of Chiropody Examiners for the State of Texas; prescribing fees to be charged by the State Board of Chiropody Examiners; defining offenses and prescribing penalties therefor, and declaring an emergency."

Have carefully compared same and find it correctly enrolled, and have this day, at 3:10 o'clock p. m., presented same to the Governor for his approval.
HENDRICKS, Chairman.

Committee Room,
Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 504, "An Act creating and incorporating the Southland Independent School District in the counties of Garza, Lynn and Lubbock, in the State of Texas; defining the boundaries thereof; providing for a board of trustees, their election, duties and authority; authorizing the board of trustees to levy, assess and collect taxes for maintenance and building purposes, and to issue bonds; providing for an assessor and collector of taxes and a board of equalization; providing that said Southland Independent School District shall assume and discharge its pro rata part of any and all bonds, indebtedness and interest thereon now in force against the Slaton Independent School District on terms named in this act; providing that said Southland Independent School District shall assume and discharge all bonds and indebtedness existing against any common school district whose lands are included within the boundaries of the district hereby created; validating and continuing in force any and all taxes heretofore voted and now in force in any of the territory included within the boundaries of Southland Independent School District as created by this act; providing that title to any and all property belonging to said district shall vest in the trustees of the independent school district hereby created; providing for filling vacancies on the board of trustees; providing for a seal for said district; providing that the board of trustees shall be governed by the general laws of Texas in all matters where this act is

silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any section or provision of this act shall not invalidate any remaining provisions of this act, and declaring an emergency."

Have carefully compared same and find it correctly enrolled, and have this day, at 3:10 o'clock p. m., presented same to the Governor for his approval.
HENDRICKS, Chairman.

Committee Room,
Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 505, "An Act to amend the Special Road Law for Smith county, Texas, passed at the Regular Session of the Thirty-third Legislature, and known as Chapter 70, Special Laws of the Thirty-third Legislature, by providing that all persons in Smith county subject to road duty under the general laws of this State, shall be required to work upon the public roads of said county; that all delinquent poll tax payers of Smith county shall be subject to road duty; prescribing penalties for failure to work the roads; providing for the payment of a sum of money in lieu of such road duty; providing how the law is to be enforced, and declaring an emergency."

Have carefully compared same and find it correctly enrolled, and have this day, at 3:10 o'clock p. m., presented same to the Governor for his approval.
HENDRICKS, Chairman.

Committee Room,
Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 509, "An Act creating and incorporating the Levelland Independent School District in Hockley county, Texas; defining the boundaries thereof; providing for a board of trustees, their election, terms of office, qualifications, powers, duties and authority; authorizing the board of trustees to levy, assess and collect taxes for maintenance and building purposes, and to issue bonds; providing for an assessor and collector of taxes and a board of equalization; providing that said Levelland Independent School District shall as-

sume and discharge its pro rata part of the bonds and interest thereon now in force against the Ropes Independent School District on terms named in this act as well as its pro rata part of other indebtedness, continuing valid and binding obligations of said Ropes Independent School District; validating and continuing in force any and all taxes heretofore voted and now in force in any of the territory included within the boundaries of Levelland Independent School District as created by this act; providing that title to any and all property belonging to said district shall vest in the trustees of the independent school district hereby created; providing for filling vacancies on the board of trustees; providing for a seal for said district; providing that the board of trustees shall be governed by the general laws of Texas in all matters where this act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any section or provision of this act shall not invalidate any remaining provisions of this act, and declaring an emergency."

Have carefully compared same and find it correctly enrolled, and have this day, at 3:10 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room.

Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 518, "An Act creating the Brackett Independent School District in Kinney county, Texas; defining its boundaries, including the Brackett Independent School District; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws upon independent school districts and the boards of trustees thereof; providing that the present board of trustees shall continue in office until the expiration of their respective terms and validating their elections; providing that outstanding bonds shall remain chargeable against the territory which voted same; providing for an election for the purpose of assuming said bonded indebtedness by the district as herein created; providing for the appointment of an assessor and collector and board of equalization for

said district; repealing laws in conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 3:10 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,

Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 528, "An Act taking certain territory from Common School District No. 16 of Baylor county and annexing the same to and making it a part of Common School District No. 14 of Baylor county, and taking the remainder of the territory of said Common School District No. 16 and annexing the same unto Megargel Independent School District of Archer county, and creating the said Megargel Independent School District into a county line independent district; conferring upon the same the powers now enjoyed by said Megargel Independent School District, and in addition thereto all of the powers which may be enjoyed or exercised by a county line independent school district; and providing for an election to adjust the territory thus attached to said common school district, and the territory thus attached to said independent school district as to taxes which may be now levied upon said common school district and upon the property of said independent school district, and for an assumption by the said common school district and by said independent school district, respectively, of the pro rata taxes payable by said added territory on account of any outstanding bond issues which may exist against said common school district and against said independent school district, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 3:10 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,

Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 566, "An Act to amend Chapter 87 of the Acts of the Regular

Session of the Thirty-fifth Legislature and amendments thereof, by adding thereto a new section to be known as Section 138, and providing that the board of directors of a water improvement district may exclude from same without requiring an application therefor lands which can not be irrigated by gravity flow from the canal system as planned and constructed, and if the owner of such lands shall thereafter and within one year elect to place said lands or part thereof in cultivation by use of water from said irrigation system by means other than provided at the time said lands were excluded, same may be again included in said district upon the application of the owner thereof made as provided by law, providing the manner of excluding and again including such lands in a district, also amending said act by amending Section 8 of Chapter 13 of the Acts of the Thirty-seventh Legislature, Regular Session, which act amended said Chapter 87, Acts, Regular Session of the Thirty-fifth Legislature, providing for the organization and operation of water improvement districts. This act amends Section 122 of said Chapter 87, Acts, Regular Session, Thirty-fifth Legislature as amended by Section 8, Acts of the Regular Session of the Thirty-seventh Legislature, and provided the manner and mode of levying and assessing taxes by such districts which may adopt the assessment of benefit plan of taxation, and that such districts may by election adopt a uniform basis of benefits applying to all lands irrigated by gravity flow from the canal system, and for a different basis of assessment on uniform basis on all lands classed as non-irrigable by gravity flow, and providing that if lands so classed as non-irrigable are thereafter irrigated the method of determining the amount of payments to be made thereon. The manner of adopting such assessments by election, and declaring an emergency."

Have carefully compared same and find it correctly enrolled, and have this day, at 3:10 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,

Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 576, "An Act amending

Chapter 52 of the Special and Local Laws passed by the Thirty-seventh Legislature' at its First Called Session, by adding thereto Section 3a, providing for the assumption and refunding by the Cooper Independent School District of all or any part of the indebtedness, bonded or otherwise, of the city of Cooper, Texas, created for school purposes, and declaring an emergency."

Have carefully compared same and find it correctly enrolled, and have this day, at 3:10 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,

Austin, Texas, March 6, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 666, "An Act to amend Chapter 18, Special Laws, Thirty-seventh Legislature, First Called Session, incorporating the Fruitvale Independent School District in Van Zandt county, Texas; providing for the maintenance of elementary schools in said district, and declaring an emergency."

Have carefully compared same and find it correctly enrolled, and have this day, at 3:10 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,

Austin, Texas, March 5, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 294, "An Act to reorganize the Forty-sixth and Forty-seventh Judicial Districts and to create the One Hundredth Judicial District of the State of Texas, and for the appointment of the district judge and district attorney for said One Hundredth Judicial District, providing for holding the district courts and the terms thereof in the Forty-sixth, Forty-seventh and One Hundredth Judicial Districts, respectively, and providing that all process and writs heretofore issued and all recognizances and bonds heretofore made and executed and returnable to existing terms of district court in the counties composing said districts, together with jurors heretofore selected, are valid and returnable to the first term of such court after this act takes effect, and providing for the continuation of the

existing district courts in said counties in session when this act takes effect to the end of their terms, repealing all conflicting laws, and declaring an emergency."

Have carefully compared same and find it correctly enrolled, and have this day, at 3:10 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

FORTIETH DAY.

(Wednesday, March 7, 1923.)

The House met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and the following members were present:

Abney.	Finlay .
Amsler.	Fugler.
Arnold.	Gipson.
Atkinson.	Green.
Avis.	Greer.
Baker of Milam.	Hardin of Erath.
Baker of Orange.	Hardin
Barker.	of Kaufman.
Barrett.	Harrington.
Beasley.	Harris.
Bell.	Henderson
Bird.	of Marion.
Blount.	Henderson
Bonham.	of McLennan.
Brady.	Hendricks.
Bryant.	Houston.
Burmeister.	Howeth.
Carpenter	Hughes.
of Dallas.	Hull.
Carpenter	Irwin.
of Matagorda.	Jacks.
Carson.	Jennings.
Carter of Hays.	Jones.
Coffee.	Kemble.
Collins.	Lackey.
Covey.	Laird.
Cowen.	Lamb.
Crawford.	Lane.
Culp.	LeSturgeon.
Davenport.	Lewis.
Davis.	Loftin.
DeBerry.	Looney.
Dielmann.	McBride.
Dinkle.	McDaniel.
Dodd.	McDonald.
Downs.	McFarlane.
Driggers.	McKean.
Duffey.	McNatt.
Dunlap.	Martin.
Dunn.	Mathes.
Durham.	Maxwell.
Edwards.	Melson. •
Faubion.	Merritt.
Fields.	Miller.

Montgomery.	Shearer.
Moore.	Shires.
Morgan	Simpson.
of Liberty.	Smith.
Morgan	Sparkman.
of Robertson.	Stell.
Pate.	Stevens.
Patman.	Stewart
Patterson.	of Edwards.
Perdue.	Stewart of Jasper.
Pinkston.	Stewart of Reeves.
Pope.	Stiernberg.
Potter.	Storey.
Purl.	Stroder.
Quaid.	Sweet.
Quinn.	Teer.
Rice.	Thompson.
Robinson.	Thrasher.
Rogers.	Wallace.
Rountree.	Wells.
Russell	Westbrook.
of Callahan.	Wessels.
Russell of Trinity.	Wilmans.
Sackett.	Wilson.
Sanford.	Winfree.
Satterwhite.	Young.

Absent.

Baldwin.	Turner.
LeMaster.	Vaughan.
Pool.	Williamson.
Price.	

Absent—Excused.

Bobbitt.	Johnson.
Cable.	Lusk.
Carter of Coke.	Merriman.
Chitwood.	Rowland.
Frnka.	Strickland.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Baker of Milam, for today, on motion of Mr. Baker of Orange.

Mr. Hull and Mr. Johnson, for today, on motion of Mr. Jacks.

Mr. Bobbitt, for today, on motion of Mr. Arnold.

Mr. Carter of Coke, for today and tomorrow, on motion of Mr. Carson.

Mr. Cable, for yesterday and today, on motion of Mr. Edwards.

Mr. Sweet, for yesterday, on motion of Mr. Westbrook.

The following member was granted leave of absence on account of sickness: